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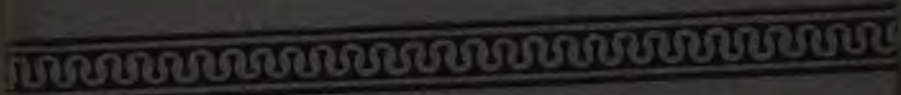
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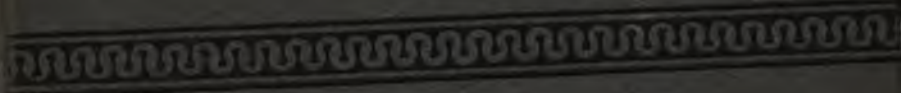
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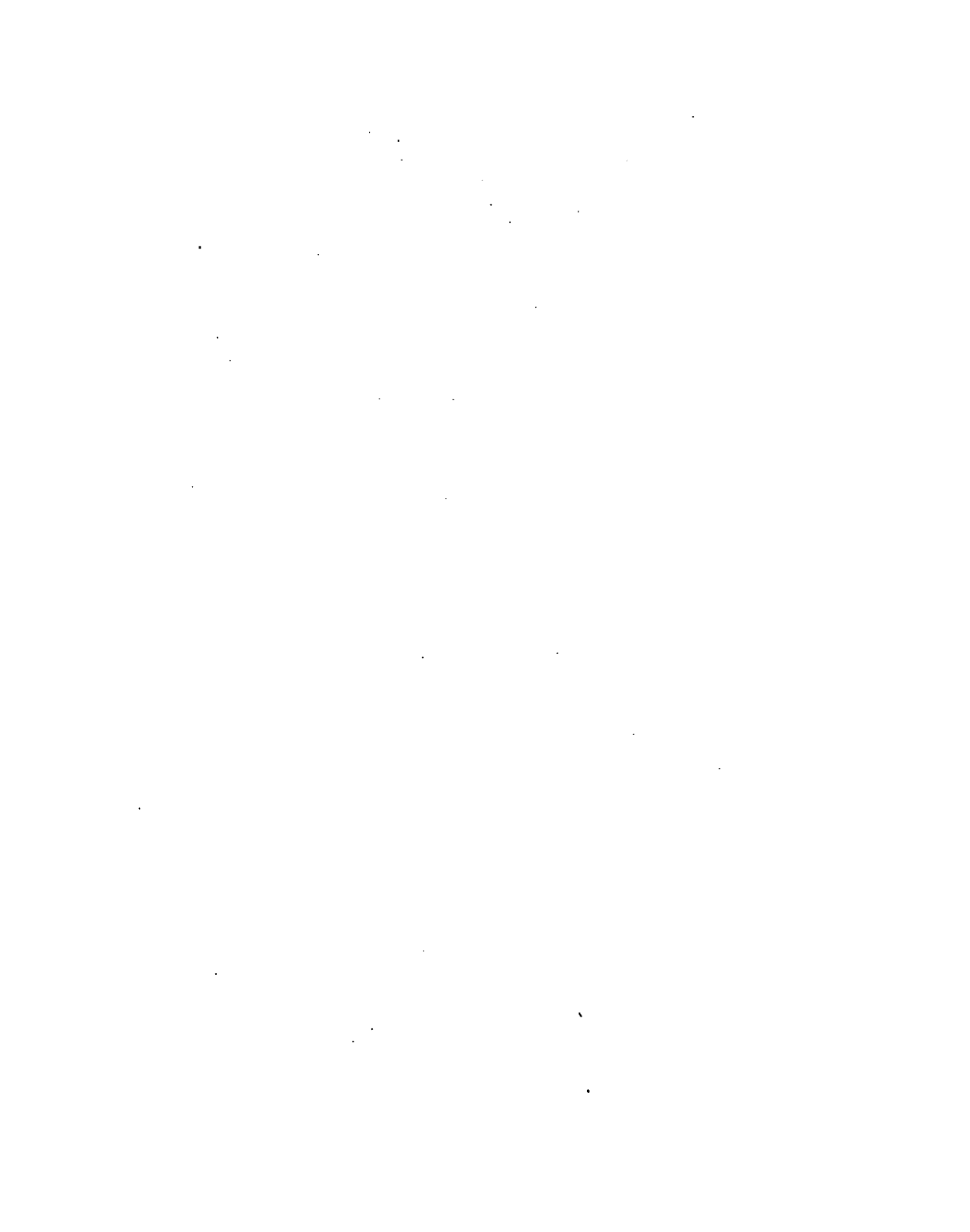
SOCIAL SCIENCE ASSOCIATION



A NARRATIVE OF RESULTS



J. L. CLIFFORD-SMITH





A MANUAL
FOR THE
SOCIAL SCIENCE CONGRESS







A MANUAL
FOR THE
SOCIAL SCIENCE CONGRESS



LONDON : PRINTED BY
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Pro Mege, Lege, Grege.



THE RIGHT HON. LORD BROUGHAM AND VAUX,

Born September 19, 1778; Died May 7, 1868.

Photographed in 1858 by J. E. Mayall, 164 New Bond Street, W.

**National Association for the Promotion
of Social Science**

WITH WHICH IS UNITED THE

Society for Promoting the Amendment of the Law

~~~~~  
**TWENTY-FIFTH ANNIVERSARY**  
~~~~~

**A . MANUAL
FOR THE
C O N G R E S S**

*with A NARRATIVE of
PAST LABOURS AND RESULTS*

BY

J. L. CLIFFORD-SMITH

Secretary of the Association

With Portraits



PUBLISHED AT THE
OFFICE OF THE ASSOCIATION
1 ADAM STREET, ADELPHI, W.C.
1882

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the subsequent *Narrative* will exhibit some of the methods which have been adopted for the achievement of certain results, as to the lasting advantages of most of which few doubts can be entertained. It has, almost entirely, been compiled from the records of the Association; but I desire at the outset to acknowledge valuable assistance received from Mr. Hastings, and other old members of the Association, whose personal experience and knowledge of work done in the past have materially contributed to the interest and value of the record which I now place before our members and the public.

J. L. CLIFFORD-SMITH.

I ADAM STREET, ADELPHI, W.C.

August 1882.





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MANUAL
FOR
THE CONGRESS
WITH a NARRATIVE



' We summon those who honestly differ in opinions, because they regard the same subject from different points of view, to look at bot sides, when possibly they may be found to agree.'—LORD BROUGHAM, in his Inaugural Address delivered before the first Congress of the Association, October 12, 1857.



CHAPTER I.

ORIGIN OF THE ASSOCIATION.

THE National Association for the Promotion of Social Science was founded on July 29, 1857, at a private meeting called by Mr. Hastings and held at the residence in Grafton Street of the late Lord Brougham, who presided on the occasion. Among those present were the following:—Viscount Ebrington (now Earl Fortescue), Mr. Adderley (now Lord Norton), the Rev. Sydney Turner, Mr. Forsyth, Q.C., Dr. Farr, F.R.S., Mr. Simon, F.R.S., Mr. Herbert Broom, Mr. Andrew Edgar, LL.D., Mr. Gassiot, F.R.S., Mr. Newmarch, F.R.S., and Mr. William Hawes. Mrs. Austin, Mrs. Howitt, Miss Emily Taylor, and several other ladies were also present. Mr. J. T. Bunce, Mr. Sampson Lloyd, and Mr. Charles

Ratcliff attended as a deputation from Birmingham. Lord Goderich (now the Marquis of Ripon), Mr. Akroyd, the Hon. George Denman, the Rev. Canon Girdlestone, and Dr. Guy sent letters regretting their unavoidable absence, and fully sympathising with the objects of the meeting. Mr. Hastings then, at the request of Lord Brougham, explained the plan of the proposed Association, and a resolution was afterwards passed affirming the necessity for a closer union among the supporters of the various efforts then being made for social advancement, and establishing the NATIONAL ASSOCIATION FOR THE PROMOTION OF SOCIAL SCIENCE. The deputation from Birmingham having expressed the wish of the Mayor and inhabitants that the first meeting of the Association should be held in that town, and their desire to give it all the support in their power, the gentlemen present were appointed a Committee to carry out the previous resolution. Lord Brougham was appointed, provisionally, President, and Mr. Hastings General Secretary, of the Association; and thus, at this private meeting, held during the dog days of the year 1857, was commenced the organisation which has since assumed so prominent a position, and the twenty-fifth anniversary of whose first Congress we

celebrate on this occasion in the town of Nottingham.¹

With regard to the plan of the Association—which, as has been stated, was laid before the meeting by Mr. Hastings—we cannot do better than reproduce in this place the following extract from his 'Introduction' to the first volume of the *Transactions*, published in 1858 :—

In the autumn of 1856 it was suggested to Lord Brougham that he should take the lead in founding an Association for affording to those engaged in all the various efforts happily begun for the improvement of the people an opportunity of considering social economics as a great whole. For the ultimate success of such an undertaking, as much reliance was placed on the actual experience of social reformers as on that *à priori* reasoning which would probably strike any thinker on the subject. This reasoning was not, indeed, to be despised. Advancing knowledge has proved an

¹ The inaugural address of Lord Brougham was delivered in the Town Hall at Birmingham, 'crowded to excess notwithstanding its ample proportions,' on the 13th of October following, and among the other speakers were Lord John Russell, Sir Fitzroy Kelly, Sir Charles Hastings, and Mr. Monckton Milnes, M.P. The result of the meeting fully justified the expectations held out by the founders of the Association. The second Congress was held at Liverpool in 1858, under the presidency of Lord John Russell, and attracted a large share of public attention. Its success at once established the Association on a permanent basis.

inseparable connection between the various branches of physical science, and disclosed to us, as Newton foreshadowed in his *Principia*, a unity throughout creation, a vast expansion of purpose based on a few simple laws. What Sir Charles Lyell¹ has said of geology holds true of all its kindred pursuits. In pointing out that a student of the science would desire to be a good botanist, zoologist, and comparative anatomist, in order to compare the organic life of past geological periods with that of the present day ; to be versed in geography, chemistry, and mineralogy, that he might bring their facts to bear on the construction of rocks, the combinations of matter, and the nature of the changes on the earth's surface, he only bore practical witness to the indivisibility of physical research ; and when he added that, human life not being long enough, nor human intellect sufficiently capacious, to master so many and diverse sciences, it was necessary that mutual aid should be given by the students of each, he did but enunciate the idea which holds together the British Association. And is social knowledge, the science of promoting the prosperity, happiness, and welfare of the human race, stamped less with the character of unity? Are the moral laws of the universe, promulgated by the same Divine Legislator, less uniform, less simple, and less sure? Are not the whole family of men bound together, not merely by the inheritance of a common lot, but by the tie of a mutual influence? And do we not find that each one of

¹ *Principles of Geology*, chap. i.

the social problems we have been in any way at the pains to unravel strikes its roots into the substance of the nation, ramifying through a hundred secret crevices into classes apparently the most removed from its influence? Surely the investigators of the many intricate questions which spring from the necessities of society have no less need of mutual instruction and help than the exponents of the laws of the material universe ; nor is there less danger in the one case than in the other that an inquirer who shuts himself up in his particular pursuit will form only superficial and inaccurate ideas of its nature and relations.

The actual experience of the close connection between various branches of social inquiry may be illustrated by the following example. Density of population, as is proved by figures, is coincident with prevalence of crime ; yet the vices which come within the grasp of the law are, perhaps, the least evils resulting. It has been shown that the guiltiest city is also the most unhealthy. Frames enfeebled and depressed by breathing a vitiated atmosphere must find an artificial stimulus ; a dense population, consequently, drinks hard. Huddled together in close proximity, and in defiance of the decencies of sex, their daughters hardly know the meaning of virtue, and prostitution becomes too often a natural pursuit. Disease and early death, appalling as the havoc among a population so circumstanced is known to be, are yet too merciful in sparing a second generation, ignorant, depraved, and desperate, perpetuating the curse to themselves and to society. To impute these

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terrible evils, which are only too palpable and easily recognised, to any one cause would be a great mistake ; their sources are to be traced in the many necessities, shortcomings, and sins of society ; but it may startle some to learn that not the least of the causes which are producing the moral and physical deterioration of thousands in England is to be found in the defective condition of our law. The mode of transferring land from one owner to another is in this country cumbrous and expensive to a very great degree. Compelling, as it does, an investigation of the title of the vendor for many years back, and that on every sale, however recent and complete a similar investigation may have been, it often falls with peculiar severity on the purchasers of small properties, since the title to a single acre may be as complex as that to a large estate. Such a system acts in a great measure as a prohibition on the purchase of land by the working-classes, and in no small degree even by the less wealthy builders. The agricultural labourer, rarely permitted to till an inheritance of his own, is but slightly attached to the place of his birth, and drifts continually into town localities, while the inhabitants of our cities often find extreme difficulty in providing themselves with suburban residences ; and thus it follows that many thousands who might otherwise live in pure air, and surrounded by those incitements to manly self-denial and provident forethought which the possession of land peculiarly supplies, are packed into the close streets and courts of a town, where every available inch is devoted to building. It might be easy to demonstrate to philan-

thropists eager for the prevention of crime, to sanitarians labouring for an improved public health, and to statesmen justly alarmed at the moral condition of a great part of the population, that one of the most radical remedies they could apply would be an improvement of our real property law.

In addition to the mutual light thrown upon each by a common investigation of various branches of social economics, there are collateral advantages which it is impossible to overlook. Time, labour, and money are all saved by such a concentration of influence, the exertion necessary for carrying on an organised inquiry into one single subject being not much less than that required for dealing with the whole class ; while the result in the former case is far less satisfactory, because productive of conclusions deduced from much more narrow premises. At the Bristol Meeting of the National Reformatory Union, and at the Mercantile Law Conference held in London in the previous year, it was impossible not to be struck, valuable as the discussions at each unquestionably were, with the tendency of the members to run into a single groove of opinion, without reference to balancing considerations, and thus to fall into that kind of error which consists not so much in the enunciation of the actually false as in the adoption of the relatively false—the absence of the wholly and positively true. No reflective person who is sincerely desirous of doing as much good to his fellow-creatures as his means and ability allow, will deny the evil of exaggerating the importance of one peculiar scheme of usefulness to the depreciation of

others ; yet the failing is so incident to human nature that every one, in all probability, is more or less guilty of it. One of the most important services to be rendered by an association of social reformers would be to afford the means for a just criterion of the relative value possessed by the various branches of their inquiry.

Take, for instance, reformatory work. Viewed in its real aspect, as a special movement organised to remedy the defective condition of our criminal law, and to check the disastrous flow of young casual offenders into the ranks of regular crime, it is not only important and interesting in its own facts and results, but highly illustrative of other social subjects. In a well-regulated reformatory school may be seen the effect of moral and religious discipline, combined with good sanitary conditions, and a proper union of industrial and intellectual education upon wayward, ignorant, and hardened natures. Such an institution is a type of the great work before us—for there is nothing done in a reformatory school which might not with proper appliances be effected for society at large. On this ground the reformatory movement may be regarded as far more than an isolated attempt to abate one particular social nuisance—as an exemplar for wider work, and affording valuable instruction, to all who give it their sympathy and support. But on this close connection with other branches of social improvement probably depends the final estimate which the public will form of reformatory work, and the influence which its zealous promoters are to maintain. Standing alone, it is open to many objections certainly difficult to



answer, and perhaps not wholly destitute of truth ; combined with other social efforts, it will derive as much benefit as it dispenses, and will always deserve an important though not a predominant position.

It has sometimes been objected to associations combining in their objects a variety of pursuits, that human intellect, except in some rare cases, has not capacity for acquiring such a range of information—much less for turning it to any practical use, and that individuals best serve the common good by concentrating their energies on one particular subject. This may be true in itself ; but the deduction drawn from it antagonistic to the principle of associated inquiry seems to be fallacious. The plan advocated for a union of social reformers is not to compel every one to master the occupations of his colleagues, but to establish a mutual interchange of opinion, experience, and information ; and the expediency of such a plan seems to follow as a necessary corollary from the very objection urged against it. If individuals, generally speaking, are not able to compass for themselves the whole circle of social inquiry, and have yet no security against false conclusions in the absence of such knowledge, what resource have they but to supplement their experience from the various information of others ? Arguments of the sort alluded to might induce us to suppose that some confusion of ideas exists, identifying isolated exertion with a division of labour ; whereas the very principle of division of labour imports a common object, for which each works in his allotted sphere. Such mistakes are likely to occur ; for it is common

enough to find a Robinson Crusoe of philanthropy, too accustomed to his little insulated benevolence, and the complete submission of his man Friday, to willingly take his place as a unit in any general effort for good. Such a man may have much ingenuity, and more zeal ; but his best efforts will be a series of mistakes ; and his success, if ever attained at all, of a very bungling description.

Among the great majority, however, of those whose aid was solicited in establishing a point of union for social reformers, and especially among the men actively engaged in philanthropic work, there was a ready recognition of the need for such an institution, and a hearty support both in advice and labour. It had been intended to commence the work of organising an Association early in the previous year ; but various causes, among them the dissolution of Parliament, retarded the design.¹

It was decided, after mature deliberation, to divide the Association into five Departments, for which the Committee afterwards proceeded to appoint officers, and also to add to their own number. It became their endeavour ' to obtain aid from all those interested in social improvement, without reference to classes or opinions ; sincere help was welcomed from whatever quarter it was offered ; and in reply to all inquiries as to the policy of the Association, it was distinctly stated that its object was to

¹ *Transactions*, 1857, pp. xxi.-xxvi.

elicit truth, not to propound dogmas, and that in every Department any argument coming within the limits of the subjects for discussion, and temperately and fairly urged, would be listened to with respect.¹ The maintenance of this freedom of opinion, on the one hand, and an endeavour, on the other, to guard against our organisation becoming the instrument of advancing the mere crotchets of individuals, have always been aimed at ; and to the upholding of this fundamental principle the prosperity of the Association is no doubt in great part due.

¹ *Transactions*, 1857, p. xxvii.





CHAPTER II.

CONSTITUTION OF THE ASSOCIATION.

THE present constitution of the Association dates from the year 1864, when the order of the Departments was modified, and their number reduced to four. From the foundation of the Association to the end of the year 1860, the designation of the Departments had been as follows :—

- I. Jurisprudence and Amendment of the Law.
- II. Education.
- III. Punishment and Reformation.
- IV. Public Health.
- V. Social Economy.

During the years 1861, 1862, and 1863, a sixth Department for 'Trade and International Law' was added. But at the close of the year 1863, the General and Foreign Secretaries (Mr. Hastings and Mr. Westlake) were requested 'to consider and

report to the Council whether any and what alterations are desirable in the designation and business of the Departments.' The results of their inquiries and deliberations were presented to and adopted by the Council on February 26, 1864, when the Committee of reference brought up the following Report :—

The two branches of the reference are distinct, and we have dealt with them separately.

I. The fundamental conception of the Association was that of a united body dealing with the science of society as a whole, but divided, for purposes of practical utility, into so many divisions as would answer to the leading branches of that science. The style of 'Departments,' rather than 'Sections,' was proposed for these divisions, to show that they were intended, not to be mere temporary adjustments, but to form a true and exhaustive nomenclature of the permanent heads of Social Science. It was supposed from the first that it might become expedient from time to time to divide more than one of the Departments into Sections, which might be accommodated with separate rooms at the Annual Meetings, and have the benefit of separate secretaries and committees. But it was also an essential element of the original idea that the division into Departments should be scientific, and therefore exhaustive and final, and that any further development should take place by subdivision, and not by anomalous additions.

The Departments into which it was thus proposed to divide the Association were five, as follow :—

First, JURISPRUDENCE ; including the principles of law and legislation, comparative jurisprudence, international law, municipal civil law, and criminal law.

Second, EDUCATION ; or the training of the young of all classes for the full duties of citizenship, whether in their moral, intellectual, or physical faculties.

Third, HEALTH ; or the science of the laws of life and bodily welfare.

Fourth, ECONOMY ; including all that relates to the production and distribution of national wealth, the trade, and material prosperity of a State.

Fifth, ART ; or the æsthetic recreative life of the people.

The above seem to exhaust the entire conditions of society. We are of opinion that the original plan of the Departments, if not in its entirety, at least as far as is practicable, should be at once carried out ; and we believe that the difficulties that may be suggested in the way of its adoption could be overcome, partly by the help of Sections in aid of the more crowded Departments, and partly by some readjustment of the subjects embraced under each.

We think that the First Department should reassume permanently its original title of 'Jurisprudence and Amendment of the Law'—a recommendation which is made in view of the negotiations now pending between the Association and the Law Amendment Society.

We think that the Department should embrace that

portion of the present Third Department which relates to the administration of the Criminal Law and the Treatment of Criminals, and also that portion of the present Sixth Department which relates to International and Commercial Law. Keeping in view the amount of work hitherto done in the Department, we are of opinion that this latter subject would not need a separate Section, but that it might be advisable to add a third Secretary especially qualified to deal with public law.

The Criminal Law, we think, should have at first a separate Section, with a Vice-President, and Secretary of the Department peculiarly versed in its questions ; but whether the Section would be needed at every Annual Meeting, and whether its Vice-President should deliver an Address, would be matters for arrangement from time to time. The same method may be adopted, whenever necessary, in regard to the International Law branch of the Department.

The Education Department should remain as at present, with the addition of any questions, such as those of Ragged Schools, which have been appropriated by the Third Department, but are manifestly educational in their nature ; and also of a separate Section hereinafter recommended.

The Department of Punishment and Reformation, if the foregoing recommendations are adopted, will cease to exist. Its abolition was proposed some time since, and would, we think, be justified by the decrease in its legitimate business which has already taken place, and

may be expected to continue, now that the prominent questions relating to the treatment of prisoners, whether adult or juvenile, are either solved, or in process of solution.

To the present Fourth, or as it would become the Third, Department, that of Health, we should add all the questions relative to Habitation, and some miscellaneous topics, such as Baths and Washhouses, and most of those of Recreation and Amusement, which have been taken up by the present Fifth Department.

That Department, which would now become the Fourth in order, we propose to term the 'Department of Political Economy and Trade.' To it should be referred all the questions on Production and Trade, which are now sent to the Sixth Department ; and we believe that if it be relieved from the multitude of heterogeneous questions which have been thrust upon it, perhaps unavoidably, the future Fourth Department would be able to dispose of its business without any necessity for the frequent aid of a Section. But, if thought advisable, it would be easy to organise a Section for Trade, on the same plan as that proposed for Criminal Law in the First Department.

We believe that the time has come when an experiment may be tried with advantage to the Association, with a view to the establishment of a Department for Art, or for Art and Literature ; which would ultimately form the Fifth in number on our programme. This experiment we recommend to be made by organising at

first a Section of the Education Department for Art and Literature.

II. With regard to the second branch of our reference, we desire to call the earnest attention of the Council to that which we believe to be the principal drawback on the effectiveness of our Annual Meetings—the multiplicity of papers and the short time left for discussion. If the chief usefulness of the Association is to be found, as we believe to be the case, in the influence which it exerts on the formation of public opinion, then it is clear that to cramp our discussion is to deprive us of the most powerful means for attaining our object—an object for which the repetitions of facts and arguments contained in half a dozen papers on the same subject can do but little. We are, at the same time, quite alive to the importance of obtaining a calm and instructive statement of the subject-matter of discussion at the commencement of debate ; but we think this could be best accomplished either by a Report purposely prepared by a Committee, or by, at the most, two papers, one on each side of the question, and not restricted to twenty minutes.

At the same time we are aware that there are branches of the work done at our Annual Meetings which would not be provided for in this scheme ; such as the contribution of papers on purely statistical subjects, and of practical suggestions on points of social improvement not likely to be embodied in the proposed list of questions. Moreover, we feel that the popularity of the Association

has in a considerable degree resulted from the open and accessible nature of its proceedings, and that to destroy this main characteristic of our body might imperil its future success. We are therefore of opinion that it would still be advisable to reserve one or two of the days at the Annual Meeting for purely voluntary papers, and also to enlarge the scope of the Reports of the Standing Committees so as to embody suggestions sent to the Secretaries by individual members.

G. W. HASTINGS.

JOHN WESTLAKE.

The foregoing Report was adopted, and the Council were empowered to alter or suspend existing laws, for the purposes stated in the Report, subject to the approval of the Association.¹

With regard to the recommendation in favour of the establishment of a Department for Art, no steps were taken for carrying it out until the year 1876, when, chiefly through the instrumentality of Mr. Philip Rathbone, a Fifth Department, bearing that designation, was formally constituted. It has since proved to be a useful and a popular adjunct to the organisation and work of the Association.

In the year 1864, the Association entered into

¹ The Laws of the Association, which had been modified and formally passed at the London Meeting in 1862, and which are those still governing its proceedings, will be found in Appendix B.

negotiations with the Law Amendment Society—a Society which had then been in active existence, under the distinguished presidency of Lord Brougham, for a period of exactly twenty years, and had originated and assisted many of the great law reforms carried out during that period. The Society, to quote the words of Lord Brougham in his Address before the first Congress of the Association in 1857,

had both done good service in furthering what is beneficial and in preventing what is hurtful. It would not be easy to describe the many pernicious attempts at legislation which it has stopped in their earlier stages—attempts tending to the injury, not the amendment, of the law ; and, if ending in failure and its attendant exposure, calculated to bring the great cause of legal improvement into disrepute. But it is more pleasing to dwell upon the signal benefits that have accrued from the measures maturely digested and strenuously promoted which have obtained the sanction, first, of the public assent—that is, the approval of those who are capable and well-informed ; and, finally, the assent of the legislature itself.

To give particular instances would only weary those who are familiar with the history of the Society. But I am bound to state that since its establishment in 1844, most of the Bills which I have brought forward, and of which many have been passed, making a great change in our jurisprudence, either originated in the inquiries and

Reports of the Society's committees, or owed to the labours and authority of that body valuable help towards—first, their preparation; next, their adoption. The great measures of Local Judicature, and those which arose out of the Common Law and Real Property Commissions, were no doubt adopted prior to the Society's foundation. But many of the Bills for extending and improving these measures were materially indebted to its co-operation.

One instance is better than any general description. Of the nine Bills presented by me to the House of Lords in 1845, and six of which are now the law of the land, two of the six were suggested by the Society; and another, the most important of the whole, and which has entirely changed the course of procedure—the Act for the Examination of Parties in all Suits—I never should have succeeded in carrying but for the Society's correspondence with all the County Court judges, and their almost unanimous testimony in favour of the change. Take another instance. Of the legal improvements in the session that has just closed, the most important are the Divorce and the Fraudulent Trustees Acts. The former was mainly furthered by the inquiries of our committees, by the public meeting held on the protection of married women, under the presidency of Sir John Pakington, and by the Bills which the Society prepared, and which were presented the session before; while the latter (Fraudulent Trustees Act) originated in the inquiry and Report of a special committee of the Society upon the subject. Nor should we pass over a very important step taken by the

Government in consequence of the Society's urgent remonstrance against the grievous defects in our Judicial Statistics. The elaborate discussions in the committees and general meetings of the Society, and its conclusive Reports, have had the effect of introducing a material improvement in that Department; and, great as the imperfection still is, so as to make the returns not yet deserve the name of Judicial Statistics, we have now every ground for hoping that, at length, the legislature will have the means of ascertaining the effects of its acts, and no longer continue to pass laws in the dark. . . .

But the Society has also afforded proof of the valuable results obtained from combined action in the two Mercantile Law Conferences which it convened and conducted in 1852 and 1857. Prior to the former year no systematic attempt had been made to obtain the opinion of the mercantile classes throughout the kingdom on the state of our Commercial Law. Indeed, it is comparatively of late years that the establishment of those valuable institutions, Chambers of Commerce, has afforded the means for selecting delegates from our mercantile towns; and when, in November 1852, the representatives of a number of Chambers met, under the direction of the Society, to discuss the assimilation of the mercantile laws of England, Ireland, and Scotland, a new era certainly began in our commercial legislation. The result of that Conference—which was presided over by myself on the first day, and by my noble friend Lord Harrowby on the second day—was the appointment of a Royal Commission to inquire into the subject which had occupied the attention of the

delegates. The Commissioners, all men of tried reputation and ability, accumulated a great body of evidence, and published the result of their labours in a valuable Report, which recommended an extensive assimilation of the mercantile laws in the three portions of the United Kingdom. This Report has not been allowed to remain a dead letter; the two Mercantile Law Amendment Acts of the session of 1856 were founded upon its recommendations; and though those measures undoubtedly fell short of what might have been hoped for, and still leave much to be done in the way of assimilation, they must be regarded as very useful additions to the Statute-book, and are, we may trust, the precursors of further improvement. The second Mercantile Law Conference in January last is of too recent a date to enable us to dwell upon its results; there cannot, however, be any doubt that they will be as satisfactory as those of the former meeting. The objects of this second Conference were more wide and varied; its discussions extended over a longer period; and a proportionate time must be expected to elapse before its proceedings will bear all their legitimate fruit. The present state of the law and administration of Bankruptcy was very fully dealt with, and we have already had two tangible results from that debate: one is the Bill which I presented to the House of Lords for remedying the evils in the bankrupt law complained of by the commercial delegates at the Conference; and it is very satisfactory to find that the Chamber of Commerce in this town has prepared another measure having the same object, but more detailed in its provisions. There can be

little doubt that the attention drawn to the state of our Bankruptcy Courts by the Conference in January, continued as it will be by the discussions here during the next three days, will finally result in a measure carrying still further those improvements which were commenced in 1831 in this important branch of our commercial jurisprudence, and were afterwards expanded in the Consolidation Act of 1849. The subject of Bankruptcy has been alluded to as the most prominent of the topics which occupied the attention of the Conference in January ; but it seems certain that the effect of that great meeting will be felt in other matters—that the repeal of the 17th section of the Statute of Frauds, recommended by the second Conference as well as by the Commissioners who were appointed on the representation of the first, and the extension of more frequent and better means of administering local justice to provincial towns, also strongly insisted on by the delegates, will result at an early date from its deliberations.¹

The negotiations, previously alluded to, ultimately resulted in a union between the Law Amendment Society and our own Association on terms mutually advantageous. These are fully set forth in the following heads of an agreement which was in due course subscribed to by the contracting parties :—

¹ *Transactions*, 1857, p. 19.

HEADS OF AGREEMENT BETWEEN THE 'NATIONAL ASSOCIATION FOR THE PROMOTION OF SOCIAL SCIENCE' AND THE 'SOCIETY FOR PROMOTING THE AMENDMENT OF THE LAW.'

I. This agreement is made for an incorporate union between the 'National Association for the Promotion of Social Science' (hereinafter called the Association), of the one part, and the 'Society for Promoting the Amendment of the Law' (hereinafter called the Society), of the other part.

II. The Society agrees to assign to the Association its library, furniture, moneys at its bankers, its claims for subscriptions due, and its interest in the agreement with Messrs. Rivington, absolutely, and to give up to the Association the Office at Waterloo Place, as from December 31, 1863.

III. The Association agrees—

1. To pay and discharge all the debts and liabilities of the Society.

2. To maintain the library in its present efficiency, and to supply it regularly with the Reports and periodicals at present taken by the Society ; and in addition to these, or in place of these, as circumstances may require, with such Reports and periodical publications as are necessary for a law library.

3. To keep the library open for such days and hours, and for such purposes in all respects, as the Society has done.

4. To style the First Department of the Association, in all documents and publications issued by the Association, the 'Department of Jurisprudence and Amendment of the Law.'

5. To hold in each year, during the months over which the session of the Society has been accustomed to extend, at fortnightly intervals, or at such other intervals as shall be fixed by the Executive Sub-Committee hereinafter mentioned, meetings for the reading of papers and the discussion of questions relating to Jurisprudence and Amendment of the Law.

6. To conduct the proceedings of these meetings, and to print and circulate the papers read thereat, in the same way as the Society has hitherto done, or with such modifications as the said Executive Sub-Committee may hereafter direct.

7. To admit all the members of the Society, in their respective capacities of Life and Ordinary Members, as two-guinea members of the Association, such members to have all the present privileges of the members of the Association, and to have the additional privileges of attending the meetings above mentioned, and also any other meetings of a similar character, if any, held by the Association, and of receiving the publications resulting therefrom, and also of the use of the library; it being agreed that these latter privileges shall only be extended to such other members of the Association as pay a subscription of two guineas per annum, or as have paid a life subscription of twenty guineas; and that such other members shall only be elected by the Executive Com-

28 Agreement with Law Amendment Society.

mittee, and after their names, with those of their proposers and seconders, have been hung up for fourteen days in the library.

8. To place on the Council of the Association all such Vice-Presidents of the Society as are not now members thereof; and to place on the General Standing Committee of the Department of Jurisprudence and Amendment of the Law all such of the eighteen managers of the Society as are not already members of that Committee; and to empower such Committee to appoint an Executive sub-Committee of ten members to select the papers, fix the days, and regulate the proceedings of the above-mentioned meetings on Jurisprudence and Amendment of the Law; to control the printing and the publication of the papers read at such meetings, and to discharge such other duties as may be specially delegated to them.

9. To print at the head of all its documents this title: 'The National Association for the Promotion of Social Science (with which is united the Society for Promoting the Amendment of the Law).'


10. To make provision for performing, by means of duly qualified officers, the general business now discharged by the Secretary and other officers of the Society.

11. Should it be found in course of time that modifications are required in the foregoing ten conditions, the Council of the Association, or the above-mentioned General Standing Committee, subject to the approval of the Council, shall have the power to make such modifications.

This agreement has continued in operation ever since, and it will serve to explain to those who are not acquainted with the facts how it is that the Association bears its present double title or designation.

The Offices of the Law Amendment Society in Waterloo Place were vacated shortly after the amalgamation of the two bodies, the lessors, Messrs. Rivington & Co., having intimated that they desired to occupy the whole of their house ; and the present accommodation, on a commanding site in the Adelphi, was secured on favourable terms.

Since the adoption of the agreement, and in continuation of the work and system of the Law Amendment Society, evening meetings have been regularly held in London from November to June in each year, at which papers on questions to which it has been considered public attention should be called, or on subjects ripe for legislation, or on Bills introduced into Parliament, have been read and discussed. The Council, however, influenced by a natural desire to keep down the expenditure of the comparatively limited funds of the Association, and to confine the holding of these meetings to occasions when practical and good results may be confidently expected to follow, do not encourage



their too frequent occurrence. It is generally thought that their objects can now, in the altered conditions of life under which we live, be most efficiently attained by the occasional substitution of earnest and steady committee work, to share in which the Association often exercises the privilege of inviting those most interested, or those whose opinions and co-operation it may desire to enlist. In the practice of this system the Association follows also the example of the Law Amendment Society, which performed much of its work in the same way, and to which we are indebted for the preparation and issue of Reports of the deepest interest and value. Notwithstanding, however, these considerations, and others of minor importance, the Council will always be glad to afford opportunities for the reading of papers, and discussions, when it may appear desirable, or of importance, to elicit in that way information or valuable results which could not be so well attained by other means.

A prominent feature of the business of each Annual Congress is the delivery of the Opening Address of the President of the Association and of the Addresses of the Presidents of Departments. These are given before all the Members and

Associates, the latter Addresses being taken consecutively on the mornings of the meeting before the work of the Departments begins. It is also usual for the President of the Council to deliver on the last day an Address on the past work of the Association and on its proceedings at the Congress, and for the Chairman of the Repression of Crime Section, or the Chairman of any other Section, temporarily created, to give a short Address in the room of the Section, on the first day of its meeting. And since the foundation of the Association, it has almost always been considered right and proper that the business of the Congresses should be preceded by an appropriate and special service in the cathedral or parish church of the place in which the Members and Associates have been invited to assemble.

Another prominent and a very useful feature of the annual programme is the adoption of a series of 'Special Questions' for each Department. We are indebted for this idea to a suggestion of our Foreign Secretary, Mr. Westlake, Q.C., experience having many years ago shown that an absence of definite formulæ led to too much desultoriness in the proceedings of the Departments. These Questions are formulated by the various

Committees some months before the Congress, and writers—usually two for each Question—are specially invited to prepare papers. This system of formulating Questions possesses many advantages. In the first place, it seldom fails to bring to the front rank those topics on which, from local and other considerations, it is clearly desirable that prominent and well-regulated discussions should be held. It also gives to writers advocating opposite opinions an equal place, and tends by this means to bring the discussion to a focus; and discussion is one of the chief objects the Association is intended to promote.

The 'Regulations concerning Papers and Discussions' for the present meeting will be found in the Appendices.¹

The changes that have taken place in the constitution of the Departments of the Association since its origin, and the names of all those who have filled the offices of Presidents, and of those who have preached the sermons at the opening services, will be seen at a glance by a reference to the tabular statement at the end of the *Narrative*.²

From the commencement of the Association in 1857, to the year 1868, our Society enjoyed the

¹ See Appendix C.

² See Appendix A.

powerful support and protection of the late Lord Brougham, on the occasion of whose death in the latter year a special meeting of the Council was held for the purpose of doing honour to the memory of their late illustrious President. The Earl of Shaftesbury was in the chair, and among those present there were the Lord Chief Baron (Sir Fitzroy Kelly), the Hon. George Denman, Q.C., M.P., Sir James Kay-Shuttleworth, Sir Baldwin Leighton, Sir J. E. Eardley-Wilmot, Mr. Shaw Lefevre, M.P., Mr. Pollard Urquhart, M.P., Dr. Farr, Dr. Greenhow, &c. The following resolution was moved by the Lord Chief Baron, who 'eloquently expressed his sense of the devotion of Lord Brougham, the devotion of his time, labour, learning, and genius, to the good of his fellow men, and the promotion of patriotic and philanthropic objects. He alluded, with much emotion, to the regret felt by others as well as himself that so great a man should rest in a foreign grave ; and he trusted that it was not yet too late to make some representation to the highest authority in the land in favour of the removal of his remains to a more fitting resting-place. He was labouring under an indisposition which had compelled him for some days to forego his judicial duties, and which made it difficult for him to

speak, but he must have been struck dumb to have been prevented raising his voice in favour of the resolution which had been placed in his hand.¹ This resolution was seconded by Mr. Denman, Q.C., M.P., carried *nem. con.*, and ordered to be sent to the present Lord Brougham :—

That the Council, before proceeding to the business on their notice-paper, desire on this, the first occasion of their meeting after the death of Lord Brougham, to record once more their profound sense, not only of the services rendered by their late illustrious President to the Law Amendment Society and the Social Science Association, but also of his unparalleled exertions, commenced more than half a century since, in support of the great objects which those bodies were subsequently established to promote.

The office of President of the Council has been filled by Mr. Hastings since 1868, in which year, after the death of Lord Brougham, he relinquished the General Secretaryship of the Association—a position he had held from the very commencement of the organisation which he himself had been so specially instrumental in founding. In both these spheres his unremitting labours, and able and consistent advocacy of the objects of the Society,

¹ *Sessional Proceedings*, vol. i., p. 329.

deserve the fullest recognition on the part of those who have its welfare at heart.

The following are the objects of the Association as officially set forth in a condensed statement originally drawn up by the Provisional Committee of 1857, and which, with some additions subsequently made by the Council, now clearly indicates the scope and design of our work :—

The Association is established to aid the development of Social Science, to spread a knowledge of the principles of jurisprudence, and to guide the public mind to the best practical means of promoting amendment of the law, the advancement of education, the prevention and repression of crime, the reformation of criminals, the adoption of sanitary regulations, the diffusion of sound principles on questions of economy and trade, and the cultivation of a high standard of taste in all ranks of the nation. The Association aims to bring together the various societies and individuals who are engaged or interested in furthering these objects; and, without trenching upon independent exertions, seeks to elicit by discussion the real elements of truth, to clear up doubts, to harmonise discordant opinions, and to afford a common ground for the interchange of trustworthy information on the great social problems of the day.

The business of the Association is conducted by a Council, an Executive Committee, and Stand-

ing Committees for the Departments. The constitution of the Council is fully set forth in Law XI., and the members composing it for the current year will be found in one of the Appendices.¹

We conclude this chapter by inserting here the terms of membership and subscription :—

ORDINARY MEMBERSHIP.—Any person becomes a Member of the Association by subscribing One Guinea annually, or Ten Guineas as a Life Payment. Every Member is entitled to attend the Annual Congress of the Association, and to receive a copy of its *Transactions*.

FULL MEMBERSHIP.—Any Member subscribing an additional sum of One Guinea annually, or an additional Life Payment of Ten Guineas, is also entitled to attend the Evening Meetings held in London during the Session, to receive a copy of the *Sessional Proceedings* which contain the publications connected therewith, and to make use of the Library at the Office of the Association. The names of intending full members are submitted for approval to the Executive Committee.


CORPORATE MEMBERSHIP.—Any Public Body, such as a learned Society, a Chamber of Commerce, a Mechanics' Institute, &c., becomes a Corporate Member by paying an Annual Subscription of Two Guineas. Every Corporate Member receives (without further payment) a copy of the *Transactions*, and may nominate two representatives to attend the Meetings of the Association.

¹ See Appendix D.




CHAPTER III.

PRACTICAL RESULTS OF THE LABOURS OF THE ASSOCIATION.

E purpose now to cast our retrospective glance at the labours of the Association, and to indicate in the following *Narrative* the methods by which many practical and beneficial results have been achieved. In doing so, the object of this *Manual* will be best attained by recording those labours and their results in the briefest form consistent with a full appreciation of the great extent of ground it will be necessary to travel over. The Association being divided into Departments, it is proposed to take these in their natural order, and to examine separately, and in chronological sequence, the investigations and labours undertaken under the auspices of each division. And while the whole will then be useful as an index

or guide for those who may be disposed to pursue investigation further, it will not be less valuable as a key to the problem so often propounded—What has the Association done? Its chief aim has been and is, of course, to exert influence on the formation of public opinion, to

spread a belief in the truths of Social Science, and to stimulate inquiry into the facts on which these are founded. Our meetings have brought together men who had hitherto held aloof from each other, each intent on his own pursuits, and absorbed in his peculiar ideas. In the atmosphere of free discussion, in the exchange of information on social facts, in the debate of principles, and the collision of opinion, such men discover each other's excellences and acquirements, and shake off in a day the prejudice of years. This liberalising influence is not a quality which can be accurately estimated; it cannot be described in figures, or measured by a rule; it is not the less real and potential; its existence is known and appreciated best by some who have been most constantly among us, and who have felt in their own experience the benefits of this commerce of minds. Nor must we overlook the effect produced by our Meetings in the towns we have visited. A higher tone of municipal government, a more active attention to sanitary and other civic duties, an impulse given to efforts for the prevention of evil, and the spread of practical improvements, have been the monuments reared by the Association of its



brief but busy presence. In each town we have left behind a body of men animated with the desire to carry out the ideas they have received, who become in their turn the source of fresh knowledge to others. Such results are a not unworthy recompense for the generous welcome that has always been given to our body.¹

The following *Narrative*, or key, will convey to the mind a definite and a clear conception of the actual services which the labours of this Association have rendered to the legislature. British legislation is peculiarly experimental and gradual in its progress. It almost always follows public opinion: rarely does it go before it. And so in the archives of our Association, in storehouses garnered with a wealth of knowledge and information which have stereotyped the process of the formation of no small part of that public opinion, there will be found the fruitful germs of much useful legislation—a crop, the seeds for which have not infrequently been sown by zealous and earnest workers in those different parts of the Empire where we have met together for the purpose of discussing the great problems of Social Science.

¹ Introduction to the *Transactions* for 1861, by G. W. Hastings.



THE NARRATIVE.

JURISPRUDENCE AND AMENDMENT OF THE LAW.

In this Department are discussed the science of Jurisprudence and the amendment of the law ; including the principles of law and legislation, Comparative Jurisprudence, International Law, Municipal Civil Law, and Criminal Law, together with the treatment of criminals, and questions connected with Prisons and Industrial and Reformatory Schools.

INTERNATIONAL AND MUNICIPAL LAW SECTIONS.

i. Law Reporting.¹—Among the early subjects of inquiry before the Law Amendment Society was that with respect to the promulgation

¹ *Law Review*, vol. x., p. 395 ; vol. xviii., p. 313. *Transactions*, 1858, p. 52 ; 1864, p. 26. *Sessional Papers*, 1865, p. 241. See also two *Letters* published and addressed in 1863 and 1864, by Mr. Daniel, Q.C., to Sir Roundell Palmer, Her Majesty's Attorney-General.

Justly and fearlessly.



G. W. HASTINGS, M.P.

Photographed in 1882 by Lock & Whitfield, 178 Regent Street, W.



of the law laid down by judicial decisions. It is a fact, though not well known, that the reform in our system of law reports, now so ably carried out by the Council of Law Reporting, originated with these inquiries. The subject was first taken up and brought under the notice of the Society in 1849 by one of our members, Mr. Serjeant Pulling, then a junior barrister, whose report on the subject in that year goes elaborately into the whole question, giving the early and modern history of our law reports, and pointing out the manifold evils and defects and costliness of the so-called system of law reporting then in use, and making suggestions for a remedy. A Committee of the Society was again, at Serjeant Pulling's instigation, specially appointed to consider the matter in 1853, when the views and opinions expressed in the Report of 1849 were confirmed, and additional reasons were given showing the importance to the public of establishing a proper system of reporting. In 1858, the subject was brought before the Association at Liverpool by the Right Hon. Joseph Napier, Lord Chancellor of Ireland, in his address as President of the Jurisprudence Department; and again in 1854 by Sir James Wilde, now Lord Penzance, in his address at our York meeting. In the Juridical Society the


subject was also frequently considered and discussed, especially in papers read by Mr. Westlake, Q.C., our Foreign Secretary, and Mr. George Sweet. Our old members, Mr. Daniel, Q.C., and the late Mr. Edward Webster, also contributed papers on the question, which were published in our *Transactions*, and elsewhere. In 1863, the inquiries of the Law Amendment Society were revived with so much success that, at the suggestion of the then Lord Chancellor (Westbury) and the late Sir William Erle, a meeting of the bar was held, and, at the instigation of Mr. Daniel, Q.C., an influential Committee was appointed, and a scheme adopted, resulting in the establishment of the existing system, by which, in lieu of the old outlay, estimated at 40*l.* a-year, every subscriber is now supplied with the whole of the Reports, Statutes, and subsidiary publications for five guineas yearly. The reform has been well carried out by the Incorporated Council of Law Reporting, including among its members Sir Roundell Palmer, Mr. Daniel, Q.C., Mr. Serjeant Pulling, and, though last not least, the present able Chairman and our Treasurer, Mr. Joseph Brown, Q.C. It may be that there are improvements still to come; but it is only right to call attention to the fact that the

movement really began with the Law Amendment Society. It may also here be stated that Mr. Brown, as Chairman of the Council of Law Reporting, has recently, at the cost of great labour and research, supervised the publication of the most complete Digest of Cases that has ever been produced. It covers a period of fifteen years, embracing decisions given between the years 1865 and 1880, and includes also an analysis of the important statutes relating to England and Wales during the same period. The work contains many thousands of cross references, and an alphabetical list of the names of both plaintiffs and defendants.

2. Bankruptcy and Insolvency.²—At the first meeting of the Association, held at Birmingham in 1857, a special Committee, consisting of three delegates from our own body, and representatives of Chambers of Commerce and Trade Protection Societies, was appointed for the purpose of discussing the whole subject of bankruptcy and insolvency. After sitting two days, they arrived at certain resolutions as a basis for a Bill, and they

² See *Transactions*, 1858, pp. 135, 186; 1859, pp. xxviii., 206; 1861, p. xxii. Also *Authorised Report of Meeting of Committee*, issued in 1858;

then elected a sub-Committee to prepare a measure in accordance therewith—a consolidating, as well as an amending one. A fund was raised to meet the necessary expenses; and a Bill, embodying the principles agreed on, was completed, circulated among the Chambers of Commerce and other bodies for their approval, and introduced into the House of Commons by Lord John Russell and Mr. Headlam, on June 22, 1858. Early in February of the following year, the Bill was again introduced by Lord John Russell, and was read a second time on March 16. The draughtsmen of this Bill were Mr. Edward (now Mr. Justice) Fry, and Mr. Henry Fox Bristowe, Q.C., now Vice-Chancellor of the Duchy of Lancaster, who were then practising at the equity bar. The solicitor was Mr. Arthur Ryland, one of our earliest members. The Bill was warmly supported by the Chambers of Commerce and other mercantile bodies, and would probably have passed, had not its further progress been stopped by the dissolution of Parliament. It again received the warm approval of the mercantile community at the Bradford meeting in the autumn of 1859; and, in November of the same year, a powerful deputation from the Association, introduced by Sir John Ramsden, Bart., M.P., waited on the Premier (Lord



Palmerston), from whom a pledge was obtained that the Attorney-General (Sir Richard Bethell, afterwards Lord Westbury) should bring forward in the ensuing session, either the measure prepared by the Committee of the Association, or one similar in its provisions. The views of the deputation were on this occasion stated by Mr. Hastings, who had acted as Chairman of the Mercantile Legislation Committee, established by a resolution of the Association at the Liverpool Congress in 1858.

The pledge of the Government was redeemed by the introduction, in 1860, of Sir Richard Bethell's first Bill, which was modelled on that of Lord John Russell. Unfortunately, however, some of the details proving to be unsatisfactory, our Committee were compelled to represent to the Attorney-General the necessity for their alteration. The Bill was therefore withdrawn, and early in 1861, the Attorney-General introduced a second measure, which, with some modifications suggested by the Association, was passed through Parliament, and received the Royal assent on August 6, 1861. The leading provisions of the Act, especially those which have reference to assignees, to county court jurisdiction, and to trust deeds, were originated in the discussions of our Committee, and received the

unwavering support of the great majority of the mercantile class throughout Great Britain from the time of their first publication.

Time has, no doubt, shown that the provisions of this Act demand extensive modification, but from the efforts of the Association may date the consolidation and simplification of the law of bankruptcy, with all its subsequent advantages.

3. Charitable Trusts.³—A discussion at the Bradford meeting, in 1859, originated by Vice-Chancellor Sir W. Page Wood, afterwards Lord Chancellor Hatherley, produced the Endowed Charities Act, 1860 (23 & 24 Vict. c. 136), enacting some useful provisions, and led also to valuable debates on the law of charitable endowments in the Law Amendment Society. The speech delivered at Bradford on this subject by our old member, Mr. John Hodgkin, well known at the conveyancing bar, was of peculiar value, and is recorded *verbatim* in the *Transactions* of 1859.

4. International Code of General Average in Maritime Adventures.⁴—The narrative of the full

³ *Transactions*, 1859, pp. 184, 255 ; 1861, p. xxvii.

⁴ *Transactions*, 1860, pp. xxiv., 41, 290 ; 1861, pp. 733, 791 ; 1862, pp. 88, 902 ; 1863, pp. xxxiii., xli. ; 1864, p. 316 ; 1865, p. III.

proceedings of an inquiry instituted by the Association into this subject would occupy too much space for insertion in the *Manual*, but the following outline will sufficiently indicate the wide scope of the inquiry, which was initiated by the Association preparatory to the Glasgow Congress in 1860. On that occasion a separate Section of the Jurisprudence Department was created for the express purpose of considering the feasibility of establishing a uniformity of general average throughout the world, a circular having been previously issued to Chambers of Commerce, Boards of Underwriters, and other commercial bodies in foreign countries, inviting them to send representatives to our meeting. This circular was cordially responded to, and a large number of delegates, European and American, were present, and took part in the proceedings. In order to facilitate the passing of resolutions to form, as it was hoped, the foundation of a code of general average, the Council circulated beforehand a synopsis of the law and customs of various countries on the subject, prepared by Mr. P. H. Rathbone, of Liverpool. Papers were then read by this gentleman and others, and at the close of the discussion, a Committee was appointed to draw up for settlement a series of

rules of general average. These were subsequently considered and finally adopted at a meeting of the Department, which also passed a resolution requesting the Council to undertake the responsibility of drawing up a Bill, with a view to its being enacted into law by the legislative authorities of the several nations of the world. In compliance with this request, the Council appointed in November, 1860, a Committee to prepare a Bill to be introduced into the British Parliament, and which, if there passed, might be made the basis of projects to be submitted to the legislatures of other countries. This draft Bill was completed in the spring of '1862, and was partially considered at our London meeting in the same year, when representatives of British and foreign mercantile bodies again attended, and took part in the proceedings. It was found necessary to relegate the further consideration of the measure to a committee of the delegates and others, but in consequence of the unavoidable departure from London of some of these gentlemen, the Committee were unable to complete their labours. In order, however, that the question might not be allowed to rest, a small representative Committee was appointed for the purpose of bringing into shape a Bill, or series of resolutions, having for

their object the establishment of one uniform system of general average throughout the mercantile world. Of this Committee Mr., now Dr., E. E. Wendt was chairman, and Mr. Richard Lowndes secretary. The fruits of their labours were presented in 1864 to the Congress at York, which, for the third time, was attended by delegates from different parts of the world. The draft Bill having been considered and amended clause by clause, a resolution was passed to the effect that it ought to be the basis of international general average law.

The practical results of the action of the Association were not, however, attained before the autumn of the year 1877, when, under the auspices of the Association for the Reform and Codification of the Laws of Nations, a very large gathering of parties interested in this question met at Antwerp, and having, under the presidency of Lord O'Hagan, discussed the York Bill of 1864, it was adopted as the basis of the now so-called 'York and Antwerp Rules,' which are referred to in every policy of insurance effected at Lloyd's and at Liverpool, and in very many bills of lading. These 'Rules,' moreover, have not only been adopted as the foundation of settlement of general average questions by a very large majority of the mercantile world, but

our own Court of Appeal has, in the well-known case of *Atwood v. Sellar* (5 Q.B.D., 286), confirmed their most important principles as the law of this country.

5. Property of Married Women.⁵—In the year 1867, a memorial, signed by upwards of three hundred persons, was presented to the Council, praying for their attention to the then state of the laws relating to the property, earnings, and maintenance of married women. This memorial was referred to the Standing Committee of the Jurisprudence Department, who subsequently prepared a Bill, which was introduced into the House of Commons, in the Session of 1868, by Mr. G. Shaw Lefevre. This Bill was nearly identical with the measure drafted by the Law Amendment Society, brought into the House of Commons by Sir Erskine Perry in 1857, and which had been prepared in consequence of a meeting convened by the Society

⁵ See *Report of Personal Laws Committee of Law Amendment Society*; *Law Amendment Journal* for March 26, 1857; *Transactions*, 1861, p. 255; 1867, pp. xxxvii. and 292; 1868, pp. 36, 130, 238, 275; 1869, pp. 33, 199; 1870, pp. 92, 242; 1875, p. 265; 1877, p. 241; 1879, p. 205; 1880, p. 181; 1881, p. 248. *Sessional Proceedings*, vol. i., pp. 51, 73, 153, 189, 222, 284; vol. ii., pp. 263, 402; vol. iii., pp. 330, 483; vol. viii., p. 106; vol. xiv., pp. 8, 62.

in 1856, held under the presidency of Sir John Pakington, Bart. Its main object was to secure to a married woman, in the absence of any special contract, the whole of her property and earnings, as if she were still, as the law has it, a *feme sole*. The Bill, with the later history of which the name of Mr. Russell Gurney is associated, was carefully considered in 1868 by a Select Committee, before which Mr. Hastings and Mr. Westlake, Q.C., were examined on behalf of our Society, and it finally passed the House of Commons in 1870 by a large majority, in a form which embodied, with scarcely any limitation, the just principle that a woman's right to her own property ought not to be forfeited by her marriage. In consequence, however, of modifications introduced by the House of Lords, the Bill, which received the Royal assent on August 9, 1870, left in operation, save under exceptional conditions, all the common law disabilities entailed on a woman by her marriage. Efforts were made in 1873, chiefly by the Married Women's Property Committee—a 'corporate member' of the Association—for the removal of the restrictions imposed by this Act; and in 1874, an amending Act, introduced by Mr. Morley, was passed, which imposed on the husband liability for

the wife's debts to the extent of the property acquired by him through the marriage, and made him liable to be sued jointly with the wife in such case. The agitation was renewed in subsequent sessions, Mr. Hibbert and Mr. Hinde Palmer, Q.C., being in charge of the various Bills introduced. The Bill, in 1881, secured to a wife her own property, made her liable upon her own contracts, able to sue and to be sued, and to acquire, hold, and dispose of property, both real and personal. It was read a second time on January 13, without a division, was afterwards referred to a Select Committee, of which Mr. Hastings was a member, and was only on its reintroduction defeated by the operation of the half-past twelve o'clock rule. In the past session, however, a similar Bill—an amending and a consolidating one—was introduced as a Government measure by the Lord Chancellor, upon whom a deputation waited from the Jurisprudence Committee and the Married Women's Property Committee, to urge upon his Lordship the acceptance of a few amendments in regard to matters of detail. Some of these were eventually incorporated in the Bill, which, passing the House of Lords on May 19, became law at the close of the past session (1882).

6. Concentration of Courts.⁶—The initiative in this matter was taken by the Law Amendment Society, a deputation from which, in February, 1859, brought the subject before the late Earl of Derby, then Prime Minister. Mr. Edwin Field entered fully into financial details, showing how the Suitors' Profit Fund might be made available. A Commission to inquire into the subject was issued in the following April, and their Report, presented in 1860, was favourable to this scheme. In 1862 a paper on the question was read at the London meeting of the Association by Mr. Thomas Webster, F.R.S., and this gave rise to a valuable debate, Mr. Young, of the Incorporated Law Society, giving additional explanation of the way in which the expenses might be defrayed. In the session of 1865, the Council strenuously supported the Bills introduced by the Attorney-General (now Lord Chancellor Selborne), for the concentration of all the superior courts of law and equity, with their offices, on the site between Carey Street and the Strand. For this purpose a statement of the desirableness of the

⁶ *Transactions*, 1862, pp. 136, 210; 1864, p. xxxvii. *Law Amendment Journal*, 1859, p. lxxi. *Sessional Papers*, 1865, p. 55; 1865-66, p. 25. *Sessional Proceedings*, vol. ii., p. 333. *Law Magazine and Review*, 1872, p. 54.

object, and of the best means of effecting it, was prepared and extensively circulated among Members of Parliament, Town Councils, and other public bodies; a petition was presented to the House of Commons, and representations were made by a deputation to several of the leading members of the Upper House.

7. Law of Partnership.⁷—A Bill having been introduced in 1865 to improve the law of partnership by enabling loans of money to be made to a trader, on condition of receiving a part of the profits, without attaching to the lender the liabilities of a partnership, the Council warmly supported, by petition and otherwise, the measure, which had for many years been advocated by the Law Amendment Society. The Bill was subsequently enacted as the 28 & 29 Vict., c. 86.

8. Digest of Case Law of England.⁸—In November, 1865, the Council called the attention of Government to the expediency of forming a digest of the case law of England, which had been forcibly expounded by Sir James Wilde, now Lord

⁷ *Transactions*, 1865, p. xxxi. *Sessional Papers*, 1865, p. 227.

⁸ *Transactions*, 1865, p. xxxv. ; 1866, p. xxxvii. ; *Sessional Papers*, 1865, pp. 1, 27.

Penzance, in his address to the Association, at York, in 1864, and had frequently been advocated by many of our members. The Council, therefore, presented to Earl Russell, then Prime Minister, an elaborate memorial, setting forth the urgency of the preparation of a digest and suggesting means whereby it might be effected. The representations of the Council received the favourable consideration of the Government, and ultimately her Majesty was advised to issue a Royal Commission on the expediency of forming a Code or Digest of the Law of England. Their Report—upon which, however, no action was afterwards taken—proposed that some portions of a digest should be made tentatively, a recommendation which, unfortunately, fell far short of the hopes entertained by the Association.

9. Legitimacy Declaration Act, 1858.⁹—Through the exertions of the Law Amendment Society, in the year 1858 a Bill was passed, introducing into the law of England, for the first time, the principle of *declarator*—a principle which has always formed part of the Scotch legal procedure. This Bill, though not passed exactly in the form

⁹ *Transactions*, 1865, xxxix.

suggested by the Society, and which was enacted as the 21 & 22 Vict. c. 93, enabled parties to obtain a declaration of legitimacy of the birth of themselves or of that of the marriage of their parents and grandparents. It having been subsequently found, however, that doubts had arisen as to the right of a suitor in a legitimacy suit to demand a jury on an issue of fact, the Council of the Association felt bound to obtain, if possible, a removal of such doubts; and an amending Bill, effecting this object, was accordingly in 1866 prepared under the sanction of the Council, and introduced in the House of Commons by Sir Thomas Chambers.


10. Juries.¹⁰—In the year 1867 the Council appointed a special Committee to inquire into the principles and working of the system of jury trial, and the best mode of removing defects therein and securing its efficiency. This Committee collected a considerable amount of valuable information by the examination of witnesses specially conversant with the subject, and communicated the results of its inquiries to a Select Committee of the House of Commons, which had then been recently appointed to investigate some points bearing on this vital question of constitutional law.

¹⁰ *Transactions*, 1866, p. xlii.

II. Copyright.¹¹—In 1875 the Association urged by deputations on Her Majesty's Government the necessity of providing better securities for the property of British subjects in intellectual labour in foreign countries. The Council have also recently taken up the question of home copyright, and in 1880 and 1881 a special Committee, consisting of members of the Jurisprudence Department, and of representatives of literary, artistic, musical, and dramatic interests, was appointed by them for the purpose of preparing a comprehensive Bill. This latter movement was initiated by Mr. Hastings, M.P., and a special fund was raised to meet the expenses of drafting and promoting the measure, the Council of the Association making a grant of 21*l*. The Committee first examined carefully the dropped Bill of Lord John Manners, M.P.; who, as chairman of the Royal Commission on copyright which was appointed in 1876, had introduced a measure in the year 1879. The concurrence of opinion being in favour of the drafting of an entirely new Bill, the Committee adopted, as a first principle, a resolution affirming that the term of

¹¹ *Transactions*, 1866, p. 119; 1874, p. xxxvii.; 1880, p. xlv.; 1881, pp. xxxiii., 803. *Sessional Proceedings*, vol. ii., p. 315; vol. vii., p. 322; vol. xi., p. 91; vol. xii., p. 217; vol. xiv., pp. 26, 55, 69, 108; vol. xv., pp. 174, 193.

copyright should be for fifty years from date of registration, and that registration, in regard to literary copyright, should be compulsory. The provisions of the Bill affecting copyright in works of fine art were very much in harmony with certain recommendations contained in a memorial which had been presented to Government by the Royal Academy in the year 1879; and of these recommendations the principal one was that the somewhat anomalous state of the law, which withholds from the artist a copyright in his production unless specially reserved to him by agreement, should be amended. The Bill promoted by our Committee, and drawn on these lines by Mr. Leybourn Goddard, instructed by Mr. Basil Field, was introduced in the House of Commons by Mr. Hastings in March, 1881, the other names on the back of the Bill being those of the Hon. F. S. A. Hanbury-Tracy and Sir Gabriel Goldney, Bart. Petitions in its favour were presented by the Royal Academy, the Society of Painters in Water Colours, and the Printsellers' Association. The progress of the measure was, however, like that of many other Bills, materially interfered with by the state of parliamentary business, and at the close of the session it was withdrawn. In the spring of the



present year, the Committee considered the desirableness of narrowing the scope of the Bill, in order, if possible, to reduce to a minimum the difficulties likely to arise in the passage through Parliament, and in the hands of a private member, of a Bill dealing with a subject so large and so complex in its character as that embraced under the various forms of copyright. They decided therefore to proceed in the past session with a Bill confined to the requirements of the fine arts and photography only, leaving music and the drama to be dealt with by them hereafter. Mr. Basil Field kindly offered to make himself personally responsible for the drafting of the new measure, which was again based on the recommendation of the Royal Academy's memorial previously alluded to. The Bill, which bore the names of Mr. Hastings, Mr. Hanbury-Tracy, Sir Gabriel Goldney, and Mr. Agnew, was introduced by our President of Council on March 30 last, and was read a second time on May 9.

22. International Code.¹²—At the Congress held in Manchester in 1866, an address on a 'Pro-

¹² *Transactions*, 1866, pp. xxx., 42; 1872, p. xxxvii.; 1874, p. xli.; 1875, p. 147. *Sessional Proceedings*, vol. v., p. 292; vol. vi., pp. 128, 431; vol. viii., p. 82.

ject for an International Code' was delivered by the Hon. David Dudley Field, of New York, a foreign corresponding member of the Association. After propounding and answering the questions, 1. What is that which is called international law? 2. Who made it? 3. Who enforces it? 4. Are any changes in it desirable? 5. If so, how can they be effected? he concluded by throwing out the suggestion that it might not be impossible for the Association to take the initiative in the undertaking, indicating at the same time the method whereby, in his judgment, it might be accomplished. A Committee was accordingly appointed, consisting of jurists of different nations, to prepare a Report on the subject, with a view of having a complete code formed after careful revision and amendment, and then presented to the different Governments in the hope of receiving their sanction. Mr. Field, however, subsequently himself ventured on the preparation of draft outlines for an International Code of Law, and in 1875 the Council appointed a special Committee to examine these outlines, with a view to the formation of a complete Code.

In connection with this subject, we record here our appreciation of the valuable services rendered

to the Association by another of our foreign corresponding members, his Excellency Señor Arturo de Marcoartu, who, in the year 1872, offered to present two prizes of the value of 200*l.* and 100*l.* for the best essays on the question—‘In what way ought an International Assembly to be constituted for the formation of a Code of Public International Law, and what ought to be the leading principles on which such a code should be formed?’ The offer was gratefully accepted, and at the Brighton Congress in 1875 these prizes were presented by the President, the Right Hon. Lord Aberdare, to the successful writers, Mr. A. P. Sprague and Mr. Paul Lacombe. The total number of essays sent in was twenty-nine, written in English, French, and German, and the adjudicators were a special Committee, appointed by the Council, consisting of Mr. Westlake, Q.C., the late Mr. H. J. Jencken, and Mr., now Dr., E. E. Wendt.

13. Patent Law.¹³—The defective state of the patent law was brought forward at the Birmingham meeting in 1868, when a Committee of inquiry was nominated, which was subsequently joined by the

¹³ *Transactions*, 1868, p. xxxvi. - *Sessional Papers*, 1865-66, p. 245. *Sessional Proceedings*, vol. vii., p. 163.

members of a Committee appointed for a similar object by the British Association for the Advancement of Science. This joint body issued a report which, in a great measure, seemed to reconcile the conflicting views both of lawyers and scientific men on this important question. The subject has at other times been frequently brought before the Association, and the Council have, from time to time, addressed communications to the Commissioners of Patents and other officials with a view to effect improvements in the administration of the law.


14. High Court of Justice Bill.¹⁴—A petition in favour of this Bill, which constituted the High Court of Justice of England in five divisional courts, was presented to the House of Lords in 1870. The Bill was also warmly supported in other ways, and on the second reading the Lord Chancellor gracefully acknowledged the support he had received from the Association. The Bill was withdrawn in the Commons, but the Supreme Court of Judicature Act received the Royal assent on August 5, 1873.

¹⁴ *Transactions*, 1870, p. xxxvi. *Sessional Proceedings*, vol. iii., pp. 470, 487, 496; vol. vi., p. 412.

15. Transfer of Land and Registration of Titles.¹⁵—This is an old question of the Law Amendment Society, which many years ago issued valuable reports on the subject. The Bill of 1874 was fully considered at an evening meeting in May, when a long and interesting discussion, opened with an able paper by Mr. George Sweet, took place. The Committee also about this time considered the expediency of providing for local registration of title, and presented a petition to the House of Commons in favour of the establishment, in different parts of the country, of offices for the economic and expeditious despatch of business, and otherwise for the convenience of persons desirous of registering titles. The Bill was withdrawn, but a similar measure was reintroduced and enacted in the following session (1875). It is, however, well known that this measure has been almost ineffectual, and that important developments are required before the public can be relieved, in any appreciable degree, from the many inconveniences of the present system. There is no disposition on the part of the Jurisprudence Department to allow this question to pass out of memory. Papers have

¹⁵ *Transactions*, 1874, p. xxxvii. *Law Amendment Journal*, 1858, p. xxix. *Sessional Proceedings*, vol. vii., p. 257 ; vol. xv., p. 226.

been read on it at several Congresses in recent years by Sir Robert R. Torrens, K.C.M.G., Mr. Denny Urlin, and others ; and there is hope that when more exciting topics cease to absorb the time of Parliament, due attention will be given to this highly important subject. The Conveyancing and Settled Land Acts of the Session of 1882 will introduce useful improvements, and will substantially release land from the fetters of settlements. These Bills were, before enactment, carefully considered by a special sub-Committee, consisting of Mr. Denny Urlin, Mr. William Fooks, Mr. Meryon White, and Mr. J. H. Gregson, and a number of recommendations were drawn up and laid before the Select Committee of the House of Commons, to which the Bills had been referred. Although these measures might perhaps have gone further, when the necessity for change in the conveyancing system is considered, it is satisfactory to know that the efforts of the Association to improve them have not been without effect. It is probable, however, that public attention will ere long be more effectively called in this direction, and when the proper time for action arrives, the Association will not be unprepared to exert its influence on behalf of further desirable reforms.




16. Supreme Court of Appeal.¹⁶—The subject of the constitution of a Supreme Court of Appeal was brought before the Glasgow Congress in 1874 by Mr. A. E. Miller, Q.C., and by him again in London, in 1875, after the introduction by the Government of the Judicature Act (1873) Amendment Bill. The paper was referred to the Committee of the Jurisprudence Department, and, subsequently, a memorial was presented to the Attorney-General in favour of increasing the number of judges, as proposed in the Judicature Bill, it being the opinion of the Committee that no Court of Intermediate Appeal could be sufficient which did not provide for the necessity of sitting ordinarily in two divisions, for which purpose it must consist of at least six ordinary judges.

17. Appeal from decisions of County Court Judges.¹⁷—The Committee of the Law Amendment Society, having considered this subject in 1874, expressed their opinion that the state of the law with regard to county court appeals tended in its operation to produce hardship, expense, and

¹⁶ *Transactions*, 1875, xxxiii. *Sessional Proceedings*, vol. viii., p. 239.

¹⁷ *Transactions*, 1875, xxxiii. *Sessional Proceedings*, vol. viii., pp. 312, 334.

inconvenience to suitors ; that in many cases the only way of appealing from the decision of a county court judge was by a special case settled and signed by the judge against whose decision the appeal is brought ; and that the drawing and settlement of a special case was often attended with great delay and expense. Appeal by special case had been entirely abolished by the Judicature Act in appeals from superior courts, and appeal by motion substituted. The Committee, therefore, recommended that a clause should be introduced into the County Courts Bill before the House in the session of 1875, enacting that any person aggrieved by the decision of a county court judge, at any time within eight days after the same shall have been given, may appeal against such decision, by an application by way of motion to the court to which such appeal lies, without the necessity of stating any special case, no security for costs or judgment being necessary without the order of the Appeal Court. A clause to this effect was accordingly drawn and placed in the hands of Mr. Serjeant Simon, M.P., and a deputation also waited on the Solicitor-General, who promised that the views of the deputation, which he fully appreciated, should have his best consideration. The clause



afterwards became law, and now forms section 6 of the 38 & 39 Vict. c. 50.

18. Coroners.¹⁸—In November, 1876, the reading of an interesting paper by Mr. Herbert Safford, 'On the Office of Coroner,' having led to a valuable and practical discussion, the subject was referred to a joint Committee of the Departments of Jurisprudence, Health, and Economics. After giving to the matter full and careful consideration, the Committee reported to the Council in urgent recommendation of a parliamentary inquiry into the mode of appointment, the office, duties, and jurisdiction of coroners. Attention was drawn to the fact that the office was one of high antiquity and great utility; that it had been the subject of much intricate legislation, and had come in process of time to be attended with inconvenience in regard to the constituency by which the coroner is elected, the manner of election, the abolition of a standard of qualification, the mode of remuneration, the procedure and place of holding the courts, as well as to many points relating to the functions and responsibility of the office. The Committee

¹⁸ *Transactions*, 1877, p. xxxiv. ; 1878, p. xxxiii. *Sessional Proceedings*, vol. x., pp. 1, 338; vol. xii., p. 111.

were of opinion that, in consequence of various social changes since the time of the original creation of the coroner's office, the expediency of retaining the coroner's jury, either at all, or at least in its present form, the existing relations of the coroner to the justices of the peace, and the provisions for the use of expert witnesses, had become matters demanding fresh and special arrangements. They also recommended that the question of inquiry into the cause of fires was one of urgency, and should be considered in regard to the appointment, duties, and functions of coroners. Resolutions embodying the recommendations of the Report were ordered by the Council to be presented to the Secretary of State for the Home Department. Bills to consolidate and amend the law relating to coroner's courts were, in 1878 and 1879, brought in by the Government, the latter having been referred to a Select Committee, but the pressure of public business has as yet prevented the enactment of any measure.

19. Court of Criminal Appeal.¹⁹—The Standing Committees of the Municipal Law and Repres-

¹⁹ *Transactions*, 1878, p. xxxii. *Sessional Proceedings*, vol. xi., p. 145.

sion of Crime Sections considered jointly in 1878, under the chairmanship of Mr. Serjeant Pulling, the general subject of appeal in criminal cases and the Criminal Appeal Bill brought in by Sir George Bowyer. They recommended that a jurisdiction in criminal appeal on the fact should be exercised by a division of the High Court of Judicature, composed of three or more of the judges, by whom a conviction might be quashed, or the sentence commuted, should the court be of opinion that the evidence did not justify the conviction or the sentence passed, or that it had been pronounced by error of the judge, or occasioned by misdirection, or fault of the jury. The Committee also recommended that, if after a trial new evidence should be forthcoming, the court should have the power to order a new trial. The Bill of Sir George Bowyer was, however, subsequently dropped.

- 20. Foreign Marriage Laws.**²⁰—The attention of the Association was called at the Manchester Congress in 1879, by Sir Travers Twiss, Q.C., D.C.L., F.R.S., the President of the Jurisprudence Department, to the operation of the

²⁰ *Transactions*, 1879, pp. 47, 50; 1881, p. 230. *Sessional Proceedings*, vol. xv., pp. 168, 217.

foreign marriage laws, under which marriages contracted in England between foreign and British subjects are sometimes held by foreign courts to be invalid, by reason of the non-compliance on the part of the foreigner with the conditions prescribed by the law of his country. A paper on the same subject was also read at our Congress in Dublin last year by Dr. Neilson Hancock, Q.C.; and a resolution having been passed requesting the Council to take the matter into consideration, they referred it to the Committees of the International and Municipal Law Sections of the Jurisprudence Department. The joint Committee, with the special assistance of Sir Travers Twiss, Q.C., D.C.L., and Mr. Westlake, Q.C., after sitting on many occasions, reported that, having regard to the state of public opinion in this country, and the difficulty of the subject, they did not think fit to suggest any legislation, whether founded on international convention or otherwise. With the view, however, of suggesting a means whereby the danger of invalidity might be brought to the notice of all persons about to contract marriage in England with foreigners, the Committee adopted the following recommendations:—

1. That it is desirable that the Archbishops and

Bishops should communicate with their Vicars-General, Registrars, Surrogates, and other officials, with a view to secure that, in all cases where a licence is sought for the solemnization of marriage between parties either of whom is a foreign subject, due precautions be taken, by requiring the production of a certificate or otherwise, to ascertain that the foreign party is competent, according to the law of his or her own country, to contract the intended marriage. 2. That it is further desirable that the Archbishops and Bishops should direct to be circulated among the clergy 'Instructions' with regard to the solemnization of marriage by banns between parties one of whom is a foreign subject, similar to the 'Instructions on Marriage of a British subject with a Foreigner' which the Registrar-General has caused to be circulated among his registration officers. 3. That in order to facilitate the ascertainment of the competence of a foreign subject by the law of his own country to contract an intended marriage, it is desirable that application be made to foreign Governments to authorise their consuls in this country (on the receipt of such moderate fee as the foreign Government may please to direct) to make inquiry into any such cases, and, if it be

found that the competence duly exists by the foreign law, to grant a certificate to that effect. This Report the Council unanimously adopted, and its recommendations were communicated a few months ago to the two Archbishops, and to her Majesty's Secretary of State for Foreign Affairs. A statement of the requirements of the French and Belgian law was also specially drawn up for the Council by Sir Travers Twiss, Q.C., D.C.L., and a number of copies for circulation among the Bishops, clergy, and other officials of both provinces sent to the Archbishops, their Graces assenting to make use of them in the manner indicated, and expressing their earnest concurrence in the importance of spreading widely a knowledge of the facts set forth in this document.*

REPRESSION OF CRIME SECTION.

21. Convict Discipline.²¹—In the year 1852 all our colonies, with the exception of Western

* Copies can be had on application at the office of the Association.

²¹ *Transactions*, 1857, pp. 262 ; 1858, pp. 14, 69, 376 ; 1861, p. xxxiii. ; 1863, p. xxxi. ; 1864, p. xxxvi. ; 1868, p. xxxv. *Sessional Papers*, 1864, p. 15. *Sessional Proceedings*, vol. i., p. 279 ; vol. ii., p. 98.

Australia, had refused any longer to receive our convict population, and as this colony could only receive a small number annually, it was soon evident that the administration of criminal justice had been brought to a deadlock. And this was a very serious matter, for at the time there were nearly 7,000 convicts in our home prisons under sentence of transportation, in addition to those in the prisons of Gibraltar and Bermuda, who would also have to be liberated in this country. With these the Government was bound to keep faith as regards promises made to them in previous regulations that their liberation, according to certain proportionate periods of their sentences, should take place. As a consequence of the almost total cessation of transportation the Government passed the Penal Servitude Act of 1853. There were many principles to be commended in this statute, but in the course of its execution it was so stultified as to become a miserable and a most alarming failure. It was decided that those convicts under sentence of transportation, who could not be sent to Western Australia, should be liberated in this country with 'tickets of leave' at the early periods which had been promised by regulation. The power of revoking these 'tickets of leave' was

reserved to the Crown, and the terms on which the revocation would be enforced were endorsed upon them. It is notorious from the report of the Committee of 1856, which was appointed to inquire into the operation of an Act which by that time had created such a panic in the country as has scarcely ever been equalled in its intensity and its continuance, that the restrictive conditions of the 'tickets of leave' were not only not enforced, but were habitually and openly disregarded. The police stated that they knew 'ticket of leave' men were training young thieves, and not interfered with; and the head of the Metropolitan Police Force stated 'that he did not think he had ever seen a "ticket of leave," and had never received notice of the conditions endorsed upon it.' It was in fact proved before this Committee that 'ticket of leave' convicts enjoyed absolute immunity; and it is not surprising to find that a very serious panic prevailed throughout the country, the press unanimously, and for many years, deprecating the manner in which the statute was administered.


But in Ireland the procedure under the same Act of Parliament had been very different, and produced the most beneficial results. Sir Walter Crofton, an old member of the Association, was

the chairman of the Convict Department in that country, and, with the consent of the Irish Government, insisted upon the enforcement of the conditions endorsed on the 'tickets of leave,' by means of monthly reporting to the police. The knowledge that the conditions would be stringently enforced exercised a restraining effect on the liberated criminals, and the police very generally afforded assistance, by representation and otherwise, to cases which appeared to deserve it. There was still another difficulty to be got over, viz. that of reconciling the employers of labour to the employment of this class of persons, and this was aggravated by the panic which prevailed in England with regard to them. This difficulty was met in 1856 by the establishment of 'Intermediate Prisons,' i.e. places in which the convicts before being liberated on 'tickets of leave' were sent on probation in order to test in a state of semi-freedom, with some of the ordinary temptations of free life and with diminished control, their fitness for release. From one of these establishments (Smithfield) it was the practice, until it was closed through decrease of prisoners, to detail in roster for daily duty one of the prisoners to act as messenger to the different offices and departments in Dublin, and to make

purchases for the other inmates, who were allowed to expend a small proportion of their earned money if they so desired. Some thousands passed through this ordeal, and it is not surprising to find that it had its beneficial effect in obtaining the co-operation of the public, and the employment of the prisoners whose antecedents were invariably made known.

The late Mr. Matthew Hill, the Recorder of Birmingham, who had narrowly inspected the working of the Irish convict system as illustrated by the prisons and by the employers of 'ticket of leave' men in Ireland, was the first person to invite the attention of the Social Science Association to the importance of the subject, and to the apparently satisfactory solution of one of our most pressing social troubles. This he did at the first meeting of the Association, held at Birmingham in 1857. His statement was well received, and obtained much attention during the year from the press and different public meetings.

But it was at the second meeting of the Association, held at Liverpool in 1858, at which the subject received the most serious attention, which never afterwards flagged until the principal reforms were, through the unceasing exertions of the Association, eventually adopted.



The Liverpool meeting of 1858 had no ordinary advantages. The President of the Department concerned was the late Earl of Carlisle, who had only recently ceased to be the Lord Lieutenant of Ireland. His address was an explanation of the Irish system—his own minute inspection of it, and thorough satisfaction with it. Sir Walter Crofton came from Ireland to read and discuss a paper on the system ; and Lord John Russell, the President of the Congress, said, in reply to some objections which had been made at different times, ‘With less care and intelligence it may be admitted the system would not have succeeded. . . . We may surely presume that the country will always furnish men of ability and energy competent to such a task ; it must be left to our responsible rulers to make their ability and energy a title for employment.’ Many specialists on the subject attended this meeting, which was extremely crowded, and the discussions were of considerable length. Mr. Charles Pearson, the city solicitor, and Mr. Merry, the chairman of justices at Reading, very old antagonists, were there, but agreed upon this subject, and a resolution approving the principles of the Irish system was passed at the meeting.

At successive meetings of the Association, as

the *Transactions* testify, the subject by no means abated in interest. On the contrary, it was determined that, at the meeting held in Dublin in 1861, a very minute examination should be made into the whole working of the Irish system. This meeting was presided over by the late Lord Brougham, who, with Mr. Hastings, M.P., the present chairman of Council, had taken throughout a most active interest in the subject, and a Committee, selected from knowledge of the question, accompanied by Baron Von Holtzendorff, an eminent German jurist, reported entirely in favour of the system. The Association thenceforward devoted its time to pressing on the attention of the Government the reforms of progressive classification, the mark system, and a systematic police supervision. But the obstruction offered to these changes by the then permanent officials—scarcely conceivable now these principles have been adopted—rendered the work of the Association one of extreme and prolonged difficulty, both in and out of Parliament. The large towns, however, Liverpool, Bristol, Birmingham, &c., which had been addressed by Sir Walter Crofton on the subject, memorialised the Government in favour of the views of the Association, and in 1863 a Royal

Commission reported making suggestions which, in 1864, were embodied in a Penal Servitude Bill.

But the work of the Association was not yet over, for the Government in the passage of the Bill through Parliament refused to make the 'ticket of leave' holders report monthly to the police, thereby losing all control over them, and generating espionage in its worst form. On the motion of Mr. Ward Hunt the Government were, however, beaten on this clause, and at last consented to adopt the views advocated by the Association. Police supervision was subsequently found to be of such utility that under the existing 'Prevention of Crime' Act, 1871 (which was made complete through the suggestions of the Association), it was extended to other habitual criminals beside those holding 'tickets of leave.' Many changes had taken place in the departments concerned since 1863. Sir Edmund Henderson had succeeded Sir J. Jebb at the English Convict Department, and carried out many reforms. On the death of Sir Richard Mayne, Sir E. Henderson became Chief Commissioner of the Metropolitan Police, and was succeeded in the Convict Prison Department by Sir Edmund Du Cane.

The official reports of both departments testify

to the good and satisfactory working of the present system, and Mr. Howard Vincent, the Director of Criminal Investigations, who has the branch of police supervision under his management, illustrates very clearly its success ; and having regard to the enormous masses of criminals thrown upon this country through the cessation of transportation, we may well rejoice that instead of the great social upheaving which was expected, and which would assuredly have arisen had not systematic police control and other reforms been instituted, we have now but little of which to complain.* It is true that the consideration and advocacy of these reforms occupied the time of the Association continuously from 1857 to 1871, but the result has been extremely satisfactory, although from time to time further reforms will of course become necessary in order to give completeness to the whole system.

* It will not here be out of place to recall the fact that in 1863 the Council felt that the question of the renewal of transportation, which in some quarters had been strongly pressed upon the Government, was one of such urgent importance that they convened a special meeting of the Association to consider the subject. This meeting was held in Burlington House on February 17, 1863, when a resolution was passed condemning any return to the old system of transportation. A full report of the proceedings was published in pamphlet form, a few copies of which can still be had on application at the office of the Association.

In 1879, in accordance with the recommendation of Lord Kimberley's Commission on Penal Servitude, Sir Richard Cross instituted an independent and unpaid inspection of the convict establishments. This was immediately and faithfully carried out in England ; but in Ireland considerable delay took place, and although this check was at last instituted, it has been useless in operation, only one visit having been made to the Dublin prisons during nineteen months. Yet Sir Walter Crofton pointed out to the Commission that this independent control was specially required in Ireland—the prison administration not having been tested by the same examination as in England for the last twenty-five years.

22. Prison Discipline.²²—In 1871 a series of resolutions, expressing the opinion that productive labour in prisons is an essential part of every good system of prison discipline, were communicated to the Government. In 1873 a conference of visiting justices, for the discussion of various important questions connected with the management of

²² *Transactions*, 1871, p. xxxix. ; 1873, p. xxxvi. ; 1874, p. xxxviii. ; 1876, p. xxxvii. *Sessional Proceedings*, vol. iv., p. 407 ; vol. vii., p. 292.

borough and county gaols, was held by permission of the Earl of Dudley in the picture gallery of Dudley House. The treatment of criminals, and the punishment for prison offences, and labour in prisons, were the subjects discussed. The question of prison discipline was also a special one for discussion at the Norwich Congress in the same year, when the Council were asked to consider the propriety of memorialising the Government in favour of the appointment of a Royal Commission to inquire fully into the discipline and management of all county and borough prisons. The Council subsequently approved this course, and a deputation, introduced by the late Lord Hampton, waited on the Home Secretary, Mr. Hastings stating its objects. The application was based on three grounds—namely, the want of uniformity in discipline and management, the smallness of the average daily number of prisoners in many of the gaols, which rendered it impossible to conduct any system efficiently, and the question of how far industrial labour in prisons might be extended, and whether it might not partly be substituted for penal labour. The Home Secretary concurred in the urgency of our representations, and in the necessity for an early inquiry, and a Royal Com-

mission was subsequently issued. In pursuance of the recommendation of the report of this Commission, a Bill, transferring to the State the administration of the county and borough gaols, was introduced into the House of Commons in the year 1876 by the Home Secretary (Mr. Cross, M.P.), who in his speech, when moving for leave to bring in the Bill, especially alluded to the representations made by the deputation from our Council in 1874. The progress in Parliament of this Bill was carefully watched, but it was withdrawn at the close of the session. It was again introduced, in an amended form, in 1877, and it received the Royal assent on August 10 of the same year.

23. Prison Discipline in India.²³—In the autumn of 1866, Major Hutchinson, Inspector of Police in the Punjab, gave the Association, at an evening meeting, the result of his official experience on the state of prison discipline in that province. The Committee of the Reformatory Section, after subsequently considering the subject, drew up and presented to the Secretary of State for India a memorial soliciting his attention to the condition


²³ *Transactions*, 1866, p. xlii. ; 1868, p. xxxv. *Sessional Proceedings*, vol. i., p. 41 ; vol. ii., p. 43.

of the gaols and of prison discipline in India ; and recommended the establishment in that Empire of a system founded on the same sound principles as those governing our home administration. Two years later another deputation from the Council of the Association waited on the Earl of Mayo, as Governor-General of India, to urge the necessity of instituting inquiries into the prison discipline of the Indian Empire. Both these deputations were most favourably received.

24. Public Prosecutor.²⁴—On many occasions the want of a Public Prosecutor and the manifold evils of a system of private prosecutions have engaged the attention of both the Law Amendment Society and the Association. At the request of the Royal Commissioners on the Organisation and Rules of Trades' Unions and other Associations, a statement in favour of the appointment of such an official was prepared in 1868 by a sub-Committee of the Jurisprudence Department, and presented to the Commissioners. Copies were also handed in of papers contributed to our Society by Mr. Robert Stuart, Q.C., and Mr. Frederick Hill.

²⁴ *Transactions*, 1868, p. xxxv. ; 1870, p. xxxv. ; 1872, p. xxxix. ; 1877, p. xxxv. ; 1879, p. xlvii. *Sessional Proceedings*, vol. ii., p. 92 ; vol. iii., p. 485 ; vol. x., p. 129 ; vol. xiii., p. 39.

In the following year, a Bill for the appointment of a Public Prosecutor having been introduced by a private member, the Council directed that a memorial suggesting improvements should be prepared. They were strongly impressed with the belief that a measure of this nature and importance should be taken up by Government, and not left to the care of a private member. Bills, however, were brought forward in session after session, the Jurisprudence Committee carefully watching their provisions; and in 1877 the question was again debated at one of our evening meetings in London, when a paper was read by our member and hon. secretary of the Jurisprudence Department, Mr. R. Denny Urlin, who had lately returned from Ireland, and who described the system in vogue there, under which all prosecutions are undertaken by the Attorney-General or his deputies. In this year the Government promised to take up the subject. Their pledge was, in some degree, redeemed in the session of 1879, when the 42 & 43 Vict. c. 22, under which the office of Director of Public Prosecutions for England and Wales was created, became law. The first appointment to the new office was made in the person of Mr. Maule, Q.C. It is at present an experiment, but it



is hoped that there will be an extension of the machinery so as in time to render private prosecutions in criminal matters unnecessary in all cases.

25. Law of Evidence.²⁵—The Law Amendment Society and the Association have on many occasions actively promoted amendments in the law of evidence by assisting in the removal of restrictions on the admissibility of testimony. The Act abolishing the rule which forbade the admission of a witness because he might be infinitesimally interested in the matter in dispute was Lord Denman's Act, the 6 & 7 Vict. c. 85, passed in 1843; and this was the most important of the initiatory steps taken in the path of a reform of our law of evidence. The preamble of this Act, which set forth that 'it is desirable that *full information* as to the facts in issue, both in criminal and in civil cases, should be laid before the persons who are appointed to decide upon them,' enunciated


²⁵ *Transactions*, 1860, pp. 251, 266; 1861, p. 252; 1863, pp. 172, 233; 1864, p. 303; 1865, pp. 133, 237; 1866, pp. 19, 36, 117; 1867, pp. 227, 291; 1869, p. xxxiii.; 1872, p. 109; 1874, p. 186; 1875, pp. 143, 260; 1876, pp. xxxv., 152. *Sessional Papers*, 1865, p. 13. *Sessional Proceedings*, vol. i., p. 253; vol. ii., pp. 314, 438; vol. v., pp. 223, 271. *Law Magazine*, vol. xxiv., p. 212.

the true principle which should regulate the admissibility of witnesses, in any and every case. Unfortunately, however, the first section of the Act excepted from its provisions 'any party to any suit,' or 'any person in whose immediate and individual behalf any action may be brought or defended, either wholly or in part, or the husband or wife of such persons respectively.' This was amended in the next step taken by the legislature by the enactment, in 1851, of the 14 & 15 Vict. c. 99, devised and drawn by Mr. Pitt Taylor, and carried through the House of Lords by Lord Brougham, who, in regard to the promotion of this measure, always acknowledged the very important services rendered by the Law Amendment Society in corresponding with all the County Court Judges, and securing their almost unanimous testimony in favour of the change.* The Act repealed the proviso above alluded to, and made the parties to any suit, and their husbands or wives, on the trial of any issue joined, competent and compellable witnesses; but by the third section it excepted from its provisions any person charged with the commission of any offence, and the fourth enacted that 'nothing herein contained shall apply to any

* See p. 22, *ante*.

action, suit, proceeding, or bill in any court of common law, or in any ecclesiastical court, or in either House of Parliament, instituted in consequence of adultery, or to any action for breach of promise of marriage.' The third step of importance in the progress of a reform of the law of evidence was the passing in 1869 of the 32 & 33 Vict. c. 68. The Bill, which had been drafted for the Law Amendment Society by Mr. Hastings, was introduced into the House of Commons by our old member, the Hon. George Denman, Q.C. (now Mr. Justice Denman), and by sections 2 & 3 provided for the admission to the witness-box of plaintiffs and defendants in actions for breach of promise, and plaintiffs, respondents, and co-respondents in suits instituted in the Divorce Court in consequence of adultery. Section 4 of the Act abolished also the rule of law which excluded as witnesses those who declined to take an oath on the ground that they did not believe in a God or in a state of rewards and punishments. There now only remains, as the fourth step in the reform of the law of evidence, to carry out to its logical conclusion the application of the whole principle as laid down in the preamble to Lord Denman's Act, and to provide for the admission as witnesses of

defendants and their husbands or wives in criminal cases. Papers on an amendment of the law in this direction have been frequently read and warmly discussed at many of our meetings, and the expediency of effecting a further change in the law has recently been admitted by the Government. The Association did good and useful service when, in the year 1876, at the instigation of Mr. Alfred Hill, it issued, through the Council, to the Chief Justice and Attorney-General of each of the United States of America, and of each of the provinces of Canada, a series of questions bearing on the subject of the examination of accused persons, and their wives or husbands, as witnesses in criminal proceedings, with a view of eliciting replies which might be of service as giving information on the subject from experienced sources. Answers were received from four of the British provinces—viz. British Columbia, New Brunswick, Ontario and Quebec—and from twenty-five States of the Union, among which were, firstly, Alabama, Arkansas, Kentucky, Missouri, Tennessee and Texas; and secondly, California, Colorado, Connecticut, Florida, Georgia, Illinois, Indiana, Kansas, Maine, Massachusetts, Michigan, Nevada, New Jersey, New York, Oregon, and Wisconsin. In those British



provinces whence answers were received, no part of the proposed change in the law had been made, as was also the case in the States of the Union firstly enumerated ; while of those mentioned secondly, in Georgia the change appeared to be little more than nominal, though, as far as it went, it seemed to give satisfaction. In Florida the prisoner may give evidence on oath, but may not be cross-examined. In Oregon he is only allowed, after conviction, to testify in matters bearing on the question of punishment. But in all the remaining States whence answers were received, prisoners are permitted, if they please, to give evidence on oath, and in seven of them they may also call husbands and wives. In all the States secondly mentioned, except Florida, Georgia, and Oregon, the prisoner may be cross-examined ; and in Illinois, Indiana, Maine, Massachusetts, Nevada, New Jersey, and Wisconsin, he is allowed to be questioned about previous convictions, or the commission of former offences ; while in Michigan, although he may give evidence, he is not permitted to be sworn. In no State is the prisoner bound to give evidence, and in no case (except where that course may be taken at common law) can the husband or wife be examined save at the

prisoner's instance. The answers from all the States, where any part of the proposed change had been made, were favourable to the change, which they said gave general satisfaction, and occasioned no hardship to the prisoner. In 1877 the replies were considered by the Standing Committee of the Municipal Law Section, and a report was prepared and discussed at an evening meeting of the Association, and a resolution passed recommending the Council to support the Bill of the Hon. Evelyn Ashley to further amend the law of evidence in criminal trials, and to enable prisoners or defendants, and their wives or husbands, to give evidence at such trials. This Bill, however, was dropped in the session of 1877, but it was re-introduced in the following session, when it was referred to a Select Committee of the House of Commons. It is confidently anticipated that their representations will be carried out by a Government measure.

26. **International Prison Congresses.**²⁶—The organiser of these Congresses was our late highly

²⁶ *Transactions*, 1872, p. xxxvii. ; 1878, pp. xxxiv., 262. *Sessional Proceedings*, vol. v., pp. 31, 340 ; vol. xi., p. 129 ; vol. xii., p. 109. See also the special reports of the proceedings of these Congresses. Also *The State of Prisons and of Child-Saving Institutions in the Civilised World*, by E. C. Wines, LL.D. (Cambridge : University Press, 1880).

esteemed foreign corresponding member, Dr. Wines, to whose untiring zeal and marked ability their success was eminently due. The objects of the meetings were to collect reliable prison statistics, to gather information, and to compare experience as to the working of different prison systems, and the effect of various plans of penal legislation ; to compare the deterrent effects of various forms of punishment and treatment, and the methods adopted both for the repression and prevention of crime. Five of these Congresses have now been held. The first assembled at Frankfort in the year 1845 ; the second took place at Brussels in 1846 ; the third was held at Frankfort in 1857 ; the fourth in London in 1872 ; and the last one at Stockholm in 1878. At the London Conference, which was organised under the auspices and active assistance of our Association, Mr. Hastings being the chairman of the International Committee of Organisation, twenty-three nations were officially represented. Nearly every State in the American Union, and some of our own colonies, had also representatives. Upwards of one hundred and twenty foreign visitors, nearly all experts in questions relating to the prevention and repression of crime, were thus gathered together. Besides the foreign members,

there were present also representatives from many of the courts of quarter sessions, benches of magistrates, and other public bodies. The Stockholm meeting was also warmly promoted by the Council of the Association—Sir Douglas Forsyth, C.B., Sir John Smale, Mr. Barwick Baker, Mr. Serjeant Cox, and Mr. Alfred Hill, attending as its delegates. A report of the proceedings of the meeting was presented to our Cheltenham Congress in the autumn of 1878.

EDUCATION.


This Department deals with the various questions relating to education, whether of the upper, middle, or lower classes of society.

27. National Education.²⁷—A review of the contributions to our Department of Education, exceeding in number four hundred, and distributed throughout the entire series of twenty-five annual volumes of *Transactions*, will testify to the deep

²⁷ *Transactions*, 1860, p. 420; 1861, p. xxix.; 1870, p. xxxv.; 1871, p. xxxix.; 1874, p. xxxviii.; 1875, p. xxxiv. *Sessional Proceedings*, vol. iii., p. 305; vol. vii., p. 227; vol. viii., p. 267; vol. ix., p. 79.

and practical interest taken by the Association in the subject of national education. It has been debated at all our meetings, in England, Scotland and Ireland; and although the papers have been read, and the discussions have been joined in, by those whose opinions are supposed to be most divergent, it will always be a source of gratification that under the auspices of our Society men of every party have been able to meet on a common platform, and temperately and fairly stating their views, to separate with mutual good-will. The constant aim of this Department has been to keep steadily in view the claims of all branches of national education; to maintain the 'touch' throughout the whole line of advance by promoting the efficiency of the Public Elementary schools extended even to the most neglected classes, by maintaining in due connection with them the 'intermediate' middle class and technical schools, while fully recognising the value of the highest branches of culture as exercising a controlling and elevating influence over the whole system. The proceedings in our Department, from the origin of the Association in 1857 to the enactment of the Elementary Education Bill in 1870, by accumulating information on the different parts

of the subject, and by affording opportunities for fair public discussions on controverted questions, exerted throughout the country a practical and a healthy influence, which spread with the growth of the popular agitation for the passing of a legislative measure for a truly national system of education. Memorials were from time to time presented to Her Majesty's Government, and the progress of Mr. Forster's Bill of 1870 was carefully watched by our Committee, a number of practical suggestions being offered to the President of the Privy Council. These had reference, among other matters, to the desirableness of appointing a Minister of Education, of introducing large school districts, of grading schools, of securing the best method of ascertaining the educational wants of a district, of initiating a school board, and of providing that it should be efficient. Many of these suggestions were adopted, but the Council had to regret that the appointment of a Minister of Education did not receive the approval of Her Majesty's Government. The Council memorialised in 1871 the Committee of Council on Education as to the fitness of women for the work of education generally. The memorial urged the employment of women as teachers in schools of every grade, as members of school



boards under the Act of 1870, and as inspectors of girls' and infants' schools. In 1875 the Standing Committee had their attention drawn to the working of this measure. Many active members of school boards were desirous of comparing their experiences with those of others similarly occupied in different parts of the country, especially as to the operation of the permissive powers given under the Act of 1870. The Council were therefore induced to offer their services as a means of intercommunication between all who were concerned in the work of primary education, and they appointed a special Committee for the purpose of comparing experience as to the working of the Elementary Education and other Acts. The Committee, therefore, in the month of May, 1875, held, under the presidency of Lord Napier and Ettrick, a conference of members of school boards, head teachers, and others interested in primary education, for the consideration of practical questions framed for the purpose. The Council also joined the Society of Arts at about the same time in a deputation to Her Majesty's Government to urge the institution of an inquiry into the wasteful expenditure on existing inspected schools, without producing any adequate result.

28. Higher Education of Women and their Admission to University Examinations.²⁸—An animated discussion, held under the presidency of Lord Brougham at the London meeting in 1862, having resulted in the passing unanimously of a resolution to the effect 'that means ought to be provided for testing and attesting the education of women of the middle and higher classes,' and the Council having been requested 'to take such measures as they might deem expedient for the attainment of this object,' they willingly responded by referring the matter in the first instance to the Standing Committee of the Department. Efforts were at that time being made to open to female candidates the local examinations of Oxford and Cambridge, and it was felt that the example of the examinations by the Society of Arts, which had then for some time been open to women, afforded an encouraging precedent. The Committee of our Department considered very carefully the subject referred to them, and, acting in concert with a special committee of ladies, took part in negotiations with the Cambridge Syndicate for the holding in

²⁸ *Transactions*, 1862, pp. xlii., 339-342; 1863, pp. xxx., 354; 1864, pp. xxxiv., 394; 1865, p. 264. *Sessional Papers*, 1864, p. 109. *Sessional Proceedings*, vol. viii., p. 137.

London of an experimental examination in connection with the Cambridge Local Examination for 1863. The authorities kindly undertook to further the objects of the Committee, agreeing to provide extra copies of the examination papers, and to direct their examiner in London to give them out to a representative of the Committee on each occasion after they had been given out to the boys. The examination of the girls was held simultaneously with that of the boys, and the University regulations were strictly observed. Eighty-three girls, chiefly the daughters of professional men, underwent examination, thus testifying to a want by no means imaginary. The results of this test examination were presented in a report, which formed the subject for discussion at one of our evening meetings in 1864, presided over by the late Lord Lyttelton. This experimental examination was considered so satisfactory that the whole question was subsequently settled by the decision of the Senate of the University of Cambridge to admit girls to all their local examinations. The example thus set was subsequently followed by the University of Oxford, and a similar resolve was taken by the University of Edinburgh, on the institution of examinations of the same kind for Scotland. This

step in advance, as regards female education, was due in a great degree to the persevering and judicious exertions of Miss Emily Davies, who contributed papers on the subject at several of our Congresses.

29. Schools' Inquiry Commission.²⁹—The appointment of this Commission was entirely due to the action of our Association. It was initiated at the Edinburgh Congress in 1863, when Mr. Nassau Senior, in his address as President of the Education Department, pleaded for an inquiry into the state of middle-class education. Pointing out that Royal Commissioners had reported on the Universities of England, Scotland, and Ireland; that a Commission was then sitting on the public schools frequented by the children of the higher classes; that another Commission had spent years in examining into the state of the schools of the lower orders in England; and that Committees of the Lords and of the Commons had reported on the education of the lower orders in England and Ireland, he referred to the results of the teaching in middle-class schools, of

²⁹ *Transactions*, 1863, pp. 56, 280, 361; 1864, p. xxxiii.; 1869, p. xxxiii.; 1871, p. xxxix.; 1872, p. 59; 1874, p. xxxix. *Sessional Proceedings*, vol. ii., p. 358; vol. iv., p. 270; vol. v., p. 77; vol. vi., p. 65; vol. vii., p. 353.

the training in which, he said, we knew nothing. The education of the middle classes had been utterly neglected. Mr. Senior therefore proposed that the Association should petition the Crown to issue a Commission to inquire into the state of middle-class education in the British Islands. A resolution to this effect, on the motion of Mr. Heywood, M.P., seconded by Mr. Ernest Noel, was, after the reading of a paper on the subject by the Rev. J. P. Norris (now the Ven. Archdeacon Norris), unanimously passed in the Education Department of the Edinburgh meeting. In pursuance of this resolution, a deputation from the Council, consisting of Lord Brougham, Earl Fortescue, the Bishop of London (now the Archbishop of Canterbury), Lord Lytton, and other members, waited upon Lord Palmerston on June 18, 1864, to bring the subject before the notice of his Lordship as Premier. An elaborate memorial, setting forth the grounds on which the Council based their recommendation, was presented at the same time. The representations of the deputation received the warm support of the Government, and the prayer of the memorial that a Royal Commission should be 'issued forthwith,' was at once granted, and the work of inquiry entered upon without delay. The Endowed Schools

Bill (32 & 33 Vict. c. 56) was the legitimate outcome of the successful efforts of the Association to obtain the Schools' Inquiry Commission, out of which grew, as a consequence of its report, the Commission dealing with endowed schools.

30. Factory Education.³⁰—The system of factory education, i.e. alternate attendance at the mill and at the school, was originally provided for under the Factory Acts of 1833, 1844, and 1847; and although the principle met at the outset with a determined opposition from some who held that it was an interference with the labour market, and with the right and duty of parents in reference to the education of their children, the extension of the principle was, nevertheless, warmly advocated by others, and results have since proved it to have been sound in theory, wise in legislation, and practical in working. Attendance at school is now a condition of the labour of all children, from that given in the well-appointed mill to the rough work required on board the dingy canal-boat. In the early years of our Association, and especially when

³⁰ *Transactions*, 1865, pp. xxxix., 291, 362; 1857, p. 151; 1859, p. 363; 1860, pp. 379; 418. *Sessional Proceedings*, vol. vii., p. 227.

our Congresses were held in centres of manufacturing districts, an extension of the 'half-time' system of instruction was advocated by many of our members, earnest and practical reformers in the great cause of national education. Many of these, still living, can look back with satisfaction to the prominent part they took, at our earlier meetings and elsewhere, in the movement for the extension of the factory system of education. This is one of the subjects on which the quiet influence of the Association, spreading a knowledge of the special circumstances of one district over the rest of the kingdom, has been productive of real benefit.

31. Amalgamation of the Oxford and Cambridge Local Examinations.³¹—An effort was made in the year 1874 to obtain an amalgamation of these examinations. For this purpose a meeting was held in London of delegates from a large number of centres of examinations in England and Wales, and a memorial to the University authorities was prepared and adopted. The Committee charged by the meeting with the care of this memorial requested the Council of the Asso-


³¹ *Transactions*, 1874, p. xxxix. ; 1875, p. 459. *Sessional Proceedings*, vol. viii., p. 137.

ciation to lend their support to the work. The Universities, however, expressed their unwillingness to waive their individual action. But the subject was not allowed to drop. Mr. Barclay Phillips, the chairman of the Committee above alluded to, brought it before the Brighton Congress in 1875, and in his paper he gave some striking statistics which showed the desirableness of effecting an improvement in the system of University local and other examinations. Oxford held at that time examinations at twenty-eight and Cambridge at seventy-seven centres, some of which were double centres. As a consequence of the growth of the system of examinations as a test of the results of teaching, there were even at that time, Mr. Phillips pointed out, no less than seventeen different systems of examination, and it was believed by many that one general system, properly graded, would have sufficed for all.

32. Educational Pressure.³²—In the spring of 1880 two very crowded meetings, promoted by our Education Department, were held for the purpose of considering the question of dangers to

³² *Transactions*, 1880, p. 420. *Sessional Proceedings*, vol. xiii., pp. 81, 107.

health from over-work, with reference more especially to the *curricula* and hours of attendance at some of the London girls' day schools. The first meeting took place in the large room of the Caledonian Hotel, and the proceedings were opened with a very practical and able paper by Mrs. Garrett-Anderson, M.D., who, in temperate language, placed before her hearers the risks of dangers to health incurred by growing girls under the system in operation at many of the large schools of the metropolis. The reading of this paper was followed by an animated discussion, which was adjourned to a second meeting, held a fortnight later in the hall of the Society of Arts, when the proceedings were commenced with fair and equally temperate papers in reply by Miss Buss, head-mistress of the North London Collegiate School, and Miss Beale, of the Cheltenham Ladies' College. At our Edinburgh Congress in the autumn of the same year, the subject was again taken up and discussed in a crowded section, papers on this occasion being read by Dr. Keiller and Miss Edith Pechey, M.D. At all these meetings there were representatives present of many of the best of our girls' day schools, as well as other teachers and many parents; and as an outcome of the discussions, which were



characterised by vigour, fairness, and good humour, we have reason to know that many practical suggestions offered received encouragement and hearty support, and that an influence for wide-spread future good was created.

PUBLIC HEALTH.

This Department considers the various questions relating to public health, and the organisation and administration of the sanitary laws.

33. Public Health Acts.³³—The attention of the Association was early called to the unsatisfactory state of legislation in connection with the subject of public health. The existence of the Office of Public Health was, five-and-twenty years ago, dependent on the annual renewal of a temporary Act, the consequent uncertainty of its continuance crippling thereby all its operations. The Council, in February, 1859, presented to both Houses of Parliament, through Lord Shaftesbury

³³ *Transactions*, 1858, p. xxx. ; 1859, pp. xxviii., 28 ; 1861, p. xxxvii. ; 1866, p. xxxix. ; 1872, p. xxxix. ; 1877, p. xxxvi. ; 1878, p. xxxv. *Sessional Proceedings*, vol. v., pp. 154, 193, 201, 218, 245.

and Lord John Russell, an elaborate petition setting forth the large amount of preventable disease in this country, and the hardship and suffering thereby inflicted, especially on the poor, and praying for the enactment of a Public Health Act in a permanent form. The representations of the Council were attended with success, the 22 & 23 Vict. c. 3, making the temporary Act of 1858 (the 21 & 22 Vict. c. 97) perpetual, receiving the Royal assent on August 1, 1859. The Public Health Committee had also carefully watched the sanitary legislation of the previous session, and had made representations to Government whenever the necessity arose for so doing. A valuable minute in reference to the above Bill of 1858, which subsequently passed into law as the 21 & 22 Vict. c. 97, was presented by a deputation to the President of the Board of Health, urging that the proposed Health Department of the Privy Council should be placed in charge of a permanent medical officer, rather than that medical aid should be procured, as was proposed under the Bill, in a casual manner. The minute embodying this suggestion, which was adopted by Her Majesty's Government, was signed by the following distinguished members of the Associa-

tion :—Viscount Ebrington (now Earl Fortescue), Sir James Clark, Sir Benjamin Brodie, Sir Thomas Watson, Mr. John Meadows White, and Dr. Headlam Greenhow. In 1866 the Council urged upon the President of the Privy Council, the Duke of Marlborough, the extreme desirableness of undertaking a revision and consolidation of the laws relating to Public Health. A memorial, stating with great minuteness the reasons for a consolidation of the numerous Acts then in existence, and pointing out the confusion created by their operation, was at the same time presented to His Grace, who gave an undertaking that the attention of the Government should be at once directed to the subject. Parliament was subsequently engaged in its consideration during several sessions, but it was not until the year 1875 that a general consolidation Act became law. This Act was founded on the recommendations of the Sanitary Commission, of which Lord Norton was chairman and Mr. F. S. Powell an active member. The former was President of our Association in 1878, and the latter President of our Health Department in 1879. In 1872 the Council, and the joint Council of this Association and the British Medical Association, again urged the necessity of a con-

solidation of the existing law, of a large extension of area, an amendment in local authorities, and the establishment of a registration of sickness. And in 1878 the Standing Committee of the Health Department had under its consideration the Public Health Act, 1875, Amendment Bill, the provisions of which were carefully examined. Various amendments, having reference to the supply of water, were suggested and placed in the hands of the promoter of the Bill, who secured their insertion therein. The Bill was, however, withdrawn.

34. Adulteration of Food.³⁴—The enactment for repressing the adulteration of food, the 23 & 24 Vict. c. 84, passed in 1860, was a fruit of the labours of the Health Department. At the Birmingham meeting in 1857, Mr. Postgate had pointed out the necessity for some legislation on the subject, and a Bill, subsequently introduced into the House of Commons by Mr. Scholefield, received the support of the Association, subject to certain modifications which were recommended by the Council, to whom had been presented by the Health Committee valuable reports

³⁴ *Transactions*, 1857, p. 483 ; 1859, p. xxx. ; 1861, p. xxxviii.

on the whole subject, with suggestions for remedies to meet the evils complained of. Some of these were adopted in the above Act, which, although by no means perfect, was soon followed by good results, and served as a basis for further and improved legislation.

35. Quarantine.³⁵—At the Liverpool Congress in 1858, a valuable and suggestive paper on 'Quarantine as it is, and as it ought to be,' was contributed by Dr. Gavin Milroy, and a resolution was then passed requesting the Council of the Association to examine into the whole subject, as being one of public welfare and of general international interest, and to report the results of their inquiries at the next annual meeting. In pursuance of this resolution the Council sanctioned, on February 25, 1859, the appointment of a sub-committee to investigate this question, and a preliminary report was submitted by them to the Bradford Congress, held in the autumn of the same year. This sub-committee framed a series of eighteen questions, embracing the various topics requiring elucidation, and on which authentic data were most desirable.

³⁵ *Transactions*, 1858, p. 521 ; 1859, pp. xxxi., 605 ; 1860, p. 697 ; 1861, pp. 582, 598 ; 1862, p. xlvii.


These questions were submitted to the Foreign and Colonial Secretaries of State, by whom they were sent to all British consuls abroad, and to the governors of all our Colonies. The Directors-General of the Army and Navy Medical Departments also transmitted them to the principal medical officers on all foreign stations; and they were also sent to many of the Chambers of Commerce. From these channels a large amount of most valuable information was obtained, nearly one hundred and seventy replies having been received. A final report, giving the results of these inquiries, was presented to the Glasgow meeting in 1860, and, as the first fruits of the labours of the committee, a Parliamentary Return entitled 'Papers respecting Quarantine in the Mediterranean' had previously been ordered by the House of Commons to be printed. These papers contained the unabridged replies of the Consuls in the Levant to the queries of the Committee, and a few months later, classified abstracts of all the replies having been addressed to the Board of Trade, they also were moved for in the House of Commons, and were subsequently printed. At the Dublin Congress in 1861 a statement of 'General Conclusions and Recommendations,'

based on all the information obtained, was presented to the Association, and a resolution was then adopted in these terms :—‘ That the existing state of quarantine legislation and practice is liable to many grave objections, and often causes unnecessary impediments to international and commercial intercourse without affording any adequate protection to the public health ; and that it deserves the attention of Government, and calls for further investigation.’ This resolution was in due course reported to the Council, and that body appointed a deputation to wait on Lord Palmerston, from whom they received a promise that the information obtained by our Quarantine Committee should meet with the immediate consideration of Her Majesty’s Government. It is to be hoped that at some future day the Association may be induced to again take up this question of quarantine, which, while not infrequently operating as a vexatious restriction on commercial intercourse and travel, affords very inadequate protection in the matter of public health.

36. Registration of Births and Deaths.³⁶—

³⁶ *Transactions*, 1859, pp. 574, 615 ; 1860, p. xxvii. ; 1861, pp. xxxviii., 548 ; 1863, pp. xxxii., 13, 551 ; 1874, p. xl. *Sessional Proceedings*, vol. vii., p. 330.

In accordance with the terms of a resolution which followed the reading of a Paper on 'Certain Deficiencies in our Public Records of Mortality and Sickness,' by Dr. H. W. Rumsey at Bradford in 1859, the Council appointed a special Committee to inquire into the existing arrangements for the registration of births and deaths, and the causes of death; also in regard to the non-registration of still-born children, and to sickness treated at the cost of the community, and to report, with such recommendations as they might think fit, concerning amended regulations by legislative provision or otherwise; and to consider also the extension of the system of registration of births, deaths, and marriages to Ireland. The Committee, after careful consideration, embodied their opinions in a series of resolutions, and the Council, having adopted their report, a deputation was appointed to wait on the Home Office and the Poor Law Board to urge a more efficient system of registration. During the year 1862, in further pursuance of a resolution passed at the Dublin Congress, the Council, in conjunction with the Irish College of Surgeons and the Statistical Society of Ireland, pressed the subject upon the Irish Government, and though they cannot be said to have been



entirely successful, inasmuch as the Act of 1863 (the 26 & 27 Vict. c. 11) contained grave defects, yet it was satisfactory to think that the necessity of a statement of something more than a mere registration of deaths was brought fully before the Government. The representations of the Council were subsequently adopted by the enactment, in 1880, of the 43 & 44 Vict. c. 13. In 1873 a joint deputation of the Association and the London Statistical Society waited on the President of the Local Government Board, to urge on him certain alterations in the Bill, then before Parliament, to amend the law relating to registration of births and deaths in England. The Bill was withdrawn, but re-introduced in the following session. The object of the Registration Acts being to record accurately certain particulars respecting every birth and death in the country, and to keep up a perpetual register of the people, it was urged that the Bill was defective in the following respects :—in the time allowed to elapse before information was given ; in the absence of a proper safeguard against the burial of live-born children for still-born ; in regard to statistical purposes ; and in allowing too long time for registration. The Bill, which was enacted in 1874 as the 37 & 38 Vict. c. 88, was partly

modified in its passage through Parliament in accordance with our representations.

37. Indian Army Sanitary Commission.³⁷—

The appointment of this Commission may be justly ascribed to the action and able paper of our veteran member and sanitary reformer, Mr. Edwin Chadwick, C.B., read and discussed at the Liverpool Congress in 1858. The Report of the Commission appeared in 1863, and it showed that two-thirds of the deaths of our English troops in India were preventable. Many of its recommendations were acted upon, and, as a result, we find that whereas the former death-rate per 1,000 of mean force was sixty-nine, during the last decade of the returns (1869 to 1878), the death-rate was only twenty per 1,000. The old sick-rate had been at least 100 per 1,000, but during the decade it was (though still too high) under fifty-seven per 1,000.

38. Hospitals.³⁸—Our Association received on more than one occasion, from the hands of Miss

³⁷ *Transactions*, 1858, p. 487; 1860, p. 42; 1863, p. 13; 1881, p. 629.

³⁸ *Transactions*, 1858, p. 462; 1861, pp. xxxix., 554; 1862, pp. xlv., 617, 647; 1881, p. 498. *Sessional Proceedings*, vol. xv., pp. 35, 171, 182, 216.

Nightingale, most valuable information and advice as to the proper construction of hospitals, and the best plan for obtaining hospital statistics. The papers contributed by her to the Liverpool Meeting in 1858 were printed separately, and copies were sent to every hospital in the United Kingdom ; and their contents, it is known, exercised a beneficial influence over the authorities of those institutions. And very recently indeed, viz., during the last winter and spring, the attention of the Association was again drawn to the subject of hospital management and administration, Mr. Henry C. Burdett having contributed at the Dublin Congress in 1881, by invitation of the Council, a paper on the question which led to an important discussion, and to the passing of a resolution recommending the Council to petition the Crown in favour of the appointment of a Royal Commission of inquiry. In pursuance of this resolution, the Council appointed a special Committee to inquire into the whole subject. Their labours, under the presidency of our active member Mr. F. S. Powell, extended over a period of some months, and in March last they brought up to Council a valuable report and memorial to Government. These were unanimously adopted, and the Home

Secretary was requested to receive a deputation to urge the prayer of the memorial, which set forth that, whilst anxious to disavow the intention of adopting any recommendation in favour of compulsory Government control or management of voluntary hospitals, the memorialists were not less desirous of expressing their opinion that a favourable time had come for the institution of a full and impartial inquiry into the accommodation afforded by, and into the present system of the management and administration of, the metropolitan hospitals and the other institutions for the medical treatment of the sick. The memorialists therefore prayed that Her Majesty might be pleased to issue a Royal Commission to ascertain the needs of the Metropolis, with a view to obtain reliable data upon which to base such reforms as might be necessary, and to make such recommendations as might appear desirable. In consequence of the state of public business the Home Secretary expressed a wish to have the views of the Association conveyed to him in writing instead of by deputation. The memorial and an accompanying 'Explanatory Memorandum' were therefore, in the month of May last, sent in to the Home Office, and it is to be hoped that at no distant date Her

Majesty may be advised to issue the Commission of inquiry which is so much needed in order to arrive at correct data upon which to base necessary reforms. Attention will again be drawn to the subject at the Nottingham Congress.


39. Health of Merchant Seamen.³⁹—At the Liverpool meeting in 1858 a Committee was appointed to investigate the subject of the health of merchant seamen, and their report, which was a very elaborate one and set forth most valuable facts elicited during the investigation, was presented to the London Congress in 1862. A series of concise queries were framed and placed in the hands of those persons best able to give the most reliable and authentic information on the subject. There was an almost unanimous opinion expressed as to the deficiency of health in the merchant service, when compared with the Royal Navy. (See also Nos. 40 and 63.)

40. Loss of Life at Sea.⁴⁰—The question of the loss of life and property from shipwreck was brought before the Association at the Sheffield

³⁹ *Transactions*, 1862, p. 555.

⁴⁰ *Transactions*, 1865, p. xxxviii. ; 1874, p. xl. *Sessional Proceedings*, vol. vi., p. 431 ; vol. vii., p. 289.

meeting by Mr. Edwin Chadwick, C.B., and the Council afterwards prepared and presented by deputation to the Board of Trade a memorial praying that an inquiry might be instituted into this matter, and recommending that proper elementary education and training of seamen for safe, good, and intelligent service and conduct should be afforded. This question of the death-rate at sea was again considered by the Health Committee in 1874, when another deputation waited upon the President of the Board of Trade to urge upon him the necessity of adopting some system of medical registration and legal inquiry by a coroner into the cause of deaths at sea, and of the prosecution of persons suspected of criminal conduct, with a view to diminish the high rate of mortality in the mercantile marine. The following statistics, compiled from the Registrar General's returns, exhibit at a glance the average death-rate, for ten years, ending 1879, in the merchant service, the Royal Navy, and of males in the population between the ages of fifteen and forty-five:—The merchant service, 21·5 per 1,000 strength; the Royal Navy, 10·38 per 1,000 force; males between fifteen and forty-five, 9·0 per 1,000 living. (See also Nos. 39 and 63).



41. Cholera.⁴¹—In August 1865 a conference of medical officers of health, members of the Health Committee of the Association, of the parochial clergy, and others, was held at the office of the Association, under the presidency of the Bishop of London, to consider what steps should be taken in view of the threatened epidemic of cholera. Resolutions were passed at the meeting, and were referred to the Standing Committee on Health, who were of opinion that the best way of giving effect to the same would be to form a special Committee, consisting of their own body, with the addition of delegates from other public bodies. This special Committee prepared, after much consideration, a series of resolutions, suggesting the inquiries which, in their opinion, should be instituted, and the practical measures which might be carried out by voluntary exertion to avert, or mitigate, the visitation of any epidemic disease. These propositions, it was stated by the Committee, were intended to be supplementary only to the efforts of the Medical Department of the Privy Council and the functions of the medical officers of health. The resolutions were presented to the President of the Poor Law

⁴¹ *Transactions*, 1865, pp. xxxii., 374, 413, 415, 468; 1872, p. xl.

Board by a deputation on November 20, 1865, and were also extensively distributed among various public bodies. A Metropolitan Sanitary Association was subsequently formed, which met at the office of our Society, and was actively engaged in practical efforts for the improvement of the health of London. At a subsequent period, viz., in 1872, when there was again a threatened outbreak of cholera, the Standing Committee of the Health Department entered into communications with the President of the Local Government Board in reference to steps it seemed to them desirable to take. The suggestions of the Committee received the attentive consideration of the President. Some of them he adopted, and he also expressed his willingness to give his best attention to any further suggestions which the result of discussions of the Association might induce the Committee to make.

42. Artizans' Dwellings.⁴²—The subject of improved dwellings for artizans occupied, in 1865 and 1866, the anxious consideration of the Council, and a Bill was prepared under their direction. It formed, together with the measure introduced by Mr. Tor-

⁴² *Transactions*, 1865, p. xxxix. ; 1866, p. 425 ; 1875, p. xxxv. *Sessional Proceedings*, vol. viii., p. 237.

rens, material for discussion in Parliament. The Council also in 1874 had under their consideration the Artizans' and Labourers' Dwellings Bill, introduced into the House of Commons in that year by Sir P. Burrell. The Council petitioned in favour of the principle of the Bill, and urged its enactment with a few amendments. They were of opinion that there were various portions of large towns so densely inhabited as to be highly injurious to the moral and physical welfare of the inhabitants; that the existence of such buildings in closely confined districts tended greatly to produce sickness, and an increased death-rate; and that such portions of large towns should be reconstructed. The Bill of 1874 was however withdrawn. Another measure, which contained many of our recommendations, was introduced in the following session by Sir Richard Cross. Its progress was carefully watched by the Association, and it now stands on the statute book as the 38 & 39 Vict. c. 36 Defects, however, having been found to arise as the measure came into operation, a Select Committee of the House of Commons was appointed in the session of 1881, for the purpose of considering how the expense of, and the delay and difficulty in carrying out, this and the amending

Act of 1879 might be reduced ; and also to inquire into any causes which may have prevented the reconstruction of dwellings for the artizan class to the full extent contemplated and authorised by these Acts. This Committee was re-appointed at the beginning of the past Session, and its report, which contains many practical and valuable recommendations, was issued in the month of June last. A Bill, carrying out its suggestions, was at once introduced and duly passed into law.

43. Mines.⁴³—A memorial on the subject of the regulation of mines was presented in 1872 to the Secretary of State for the Home Department. Under the Mines Inspection Act of 1860 many important precautions introduced were still neglected, a large proportion of the lives lost by mine accidents, and a far larger number of severe injuries, not fatal, being caused by such neglect. The Council, being of opinion that much misery could be alleviated and diminished, petitioned in favour of the Mines Regulation Bill of 1872, introduced by Mr. Secretary Bruce (now Lord Aberdare), one of the old members of the Association, which pro-

⁴³ *Transactions*, 1872, p. xl. *Sessional Proceedings*, vol. v., pp. 132, 198.

vided to some extent for remedying the evils complained of. In the measure, which became law as the 35 & 36 Vict. c. 77, several of the suggestions of the Council were embodied.

44. State Medicine.⁴⁴—The Council appointed in March 1868 a Committee to co-operate with a Committee of the British Medical Association, on the subject of a revision of sanitary laws, and a better organisation of State Medicine. The joint Committee, with the aid of Dr. Rumsey, who had more than once given the Association the benefit of his experience and thought on this question, prepared a memorial and explanatory memorandum, which they presented, on May 22, 1868, to the Duke of Marlborough, President of Her Majesty's Council, the Earl of Devon, President of the Poor Law Board, and Mr. Gathorne Hardy, Secretary of State. In consequence of the representations of the joint Committee, a Royal Commission to inquire into the operation of the sanitary laws, the laws for preventing the introduction and spreading of infectious diseases, and the systems of registration of deaths, was shortly afterwards appointed. Of the

⁴⁴ *Transactions*, 1867, p. xl. ; 1868, p. xxxv. ; 1875, pp. xxxvi., 612 ; 1878, p. xxxvii. *Sessional Proceedings*, vol. i., p. 435 ; vol. ii., p. 672 ; vol. x., p. 176 ; vol. xi., p. 224.

twenty-one noblemen and gentlemen composing the Commission, nine were members of the Association. The inquiries of the Commission resulted in the issue of an exceedingly valuable report, and in 1875 the joint Committee on State Medicine were able to announce that the sanitary laws had been consolidated into one Act, thus obviating the necessity of unravelling the perplexing, and often inconsistent, provisions of twenty or thirty separate measures which had previously stood on the statute book. In the discussions on the Bill, before enactment, there was a steady approximation to the views constantly maintained, and the proposals persistently brought forward, by the joint Committee of the two Associations. It has, however, been a constant source of regret that the recommendation of our Council in favour of the establishment of county sanitary authorities, was not adopted.

45. Baby-farming and Registration of Nurses.⁴⁵—The Council adopted in 1870 a series of resolutions in reference to baby-farming and the registration of nurses. They were framed with a view to check the practices connected with baby-

⁴⁵ *Transactions*, 1870, pp. xxxvi., 553. *Sessional Proceedings*, vol. ii., pp. 316, 674.

farming, which had at that time obtained a terrible notoriety. The terms of the resolutions were urged on both the President of the Poor Law Board and on the Secretary of State for the Home Department, and in the session of 1872 the recommendations of the Council were incorporated in the Infant Life Protection Act (35 & 36 Vict. c. 38).

46. Water Supply.⁴⁶—The Council memorialised the Local Government Board in 1874 in favour of the advantages of procuring, and publishing periodically, an analysis of the air and drinking-water of large towns having a high density of population, urging that the knowledge of ascertaining the relative constituents of air and water would assist very materially in detecting disease, and thereby suggesting what might be useful for the protection of public health, and for the prevention of the spread of infectious diseases. In the following year—1875—a deputation from the Council waited on the President of the Local Government Board to urge the appointment of a Royal Commission to inquire into the subject of the scarcity of pure water in the

⁴⁶ *Transactions*, 1874, p. xxxix. ; 1875, pp. xxxv., xxxvi., 142, 518. *Sessional Proceedings*, vol. vii., p. 326 ; vol. viii., pp. 41, 227, 234 ; vol. xi., p. 224 ; vol. xii., p. 212.

United Kingdom, and to make a complete investigation into all the circumstances affecting its sources and distribution, the localities that possessed superabundance and those that suffered from scarcity, and the means by which a more perfect distribution might be effected. The deputation was introduced by the Right Hon. Lyon Playfair, C.B., M.P., and a memorial was presented calling the serious attention of the Government to water supply generally. At the request of Mr. Sclater-Booth, the President, a *précis* of such subjects as the Association thought the Royal Commission, if issued, might undertake to investigate, was drawn up as a supplement to the memorial and forwarded to the Local Government Office. The action taken by the Council in the consideration of this important question was initiated by the reading of a valuable paper 'On the storage and supply of water,' by Mr. Bailey Denton, at one of the evening meetings of the Association in London. It was a source of regret that the President of the Local Government Board came to the conclusion that he could not at that time recommend the Crown to issue a Commission on the subject, which was, and is even still more so now, a matter of increasing importance, as affecting the health of communities.

47. Slaughter-houses.⁴⁷—In the year 1874 a memorial was presented to the Secretary of State for the Home Department, on the propriety of abolishing private slaughter-houses in the metropolis. The 55th section of the Metropolis Building Act of 1844, for the regulation, construction, and use of buildings was about to expire, and it was thought desirable that some efforts should be made to prevent the repeal of the section so far as related to private slaughter-houses, and to make provision by extending the time of operation of the clause in the Act for the necessary steps to be taken for the erection of abattoirs or public slaughter-houses as a substitute for the old system.

48. Habitual Drunkards.⁴⁸—A Committee was appointed in 1875 to co-operate with the Council of the British Medical Association in the matter of the reformation and control of habitual drunkards. A Select Committee of the House of Commons had been previously appointed in 1872 for the purpose of considering the best plan for the control and management of habitual drunkards,

⁴⁷ *Transactions*, 1874, p. xl. *Sessional Proceedings*, vol. vii., p. 327.

⁴⁸ *Transactions*, 1875, p. xxxiv. *Sessional Proceedings*, vol. xiii., p. 41.

and a Bill, based on recommendations contained in their report, was introduced in the House in the same session. The measure was subsequently re-introduced in the sessions of 1873, 1877 and 1878, and was finally enacted in 1879 as the 42 & 43 Vict. c. 19. The Council of our Association watched its progress with active interest, and joined also with the 'Society for promoting Legislation for the cure and control of Habitual Drunkards' in their endeavour to pass a really useful and practical measure. The authors of the Bill were, however, unable to carry it through the legislature in its original and most effective form, the powers for good of the present Act being materially modified by its permissive character. The originator of the Society above alluded to for promoting legislation in this direction was the late Mr. Stephen S. Alford, a member of the Association, and, as the chief promoter of a Home for the treatment of dipsomaniacs, the loss of his earnest and indefatigable services has been severely felt.

49. Pollution of Rivers.⁴⁹—The Health Committee had under its consideration in 1875 the Pollution of Rivers Bill. The Committee con-

* *Transactions*, 1875, p. xxxv.

sidered the Bill deficient in many important points, but believed it was in the right direction, and would afford a basis for standards of action in future sanitary legislation. This opinion was communicated to the Marquis of Salisbury, who had the conduct of the Bill. It passed, however, through the House of Lords only in the above session. In the session of 1876 it was introduced in the lower House by Mr. Sclater-Booth, and receiving the Royal assent on August 15, became the 39 & 40 Vict. c. 75.

50. Inspection of Lodging-houses and Hotels.⁵⁰—Papers on the health of watering-places were read at the Brighton Congress in 1875 by Drs. Macpherson and Fussell. These were on one of the special questions formulated for the occasion, and they led to an animated discussion, and the adoption of a resolution recommending the Council to suggest to the local sanitary authorities of our English watering-places and health resorts the desirableness of establishing a system, by means of which owners of lodging-houses and hotels might be enabled to have their premises inspected

⁵⁰ *Transactions*, 1875, pp. xxxvii., 494-517; 1876, p. xxxvii. *Sessional Proceedings*, vol. ix., p. 360.

by a competent authority, and certified, if found free from infection, and in a general healthy condition with reference to drainage and other sanitary arrangements. This resolution, which was referred to the Health Committee, was forwarded to the medical officers of health of every watering-place in England and Wales, requesting the favour of their communicating to the Committee their views as to the best mode of carrying the same into effect, with special reference to their own locality. The Committee subsequently recommended that the proposed system of inspection should, in the first instance, be a voluntary one, and that owners of lodging-houses and hotels should be invited by the sanitary authority of the town to apply to the medical officers of health to certify that the drainage and other arrangements of their respective houses or hotels were satisfactory and generally in a healthy, habitable condition ; that the certificate should be renewed every three months or oftener, and a register kept at the town-hall. By direction of the Council, this proposal was printed and sent to the sanitary authorities of each watering-place and health resort in England, and Wales, strongly urging on them the desirableness of putting the same in force.

51. Compulsory Notification of Infectious Diseases.⁵¹—This is a question in which the Association has been actively interested for a period of seven years. By discussions at its Congresses and evening meetings in London, by painstaking Committee work, by careful consideration in the Council as to the best means to be adopted for the enactment of a practical measure which shall secure to localities, and to the kingdom at large, the advantages of a system of notification, with a view to the detection of causes and conditions conducing to the spreading of infectious diseases, and to the prevention of their growth, the Association has done much to stimulate and to direct inquiry into this subject, which, in its many aspects, affects so materially the welfare of communities. It was first publicly considered at the Brighton Congress in 1875, when a resolution was adopted recommending the Council to consider the desirableness of promoting, by legislative enactment, the reporting of all cases of an infectious character to the medical officer of health of the district. The subject was shortly

⁵¹ *Transactions*, 1875, pp. xxxvii., 516, 554; 1876, pp. xxxviii., 478; 1878, p. xxxvii.; 1879, p. xlii.; 1880, p. 608; 1881, pp. xxxv., 532, 541, 551, 556. *Sessional Proceedings*, vol. ix., p. 261; vol. x., p. 176; vol. xiv., p. 110; vol. xv., pp. 141, 186, 219.

afterwards brought before the Association by Dr. Alfred Carpenter, who read a paper upon it at an evening meeting in April 1876; and in the same year, at the Liverpool Congress, Dr. F. T. Bond advocated in a paper a system of compulsory notification. The question was subsequently discussed and considered by the Standing Committee on Health and by the Council, and a resolution, embodying the conclusions arrived at, was forwarded to the joint Committee on State Medicine, to be appended to a memorial to Her Majesty's Government for the amendment of the sanitary laws generally. The subject was again considered in 1879; and in June, 1880, the views of the Association were urged, by a deputation, on the President of the Local Government Board. At the Edinburgh Congress, in the same year, an opportunity was afforded for the reading of a paper by Dr. Littlejohn on the compulsory registration of infectious diseases as practised in that city. The system has there been in operation since November, 1879, at which time a clause, rendering it compulsory on the members of the medical profession to give, for a fee of half-a-crown, early intimation of all cases of certain infectious diseases, was inserted in a local Municipal Act. Up to the

present time nearly 12,000 intimations have been sent in to the local authorities in Edinburgh, and upwards of 1,400*l.* has been paid to the medical profession. Dr. Littlejohn's system, under which the medical attendant notifies direct to the sanitary authority—the system advocated by our Association—has worked admirably, not a single voice being now raised against it. At the meeting of the Council of the Association in February, 1881, a resolution was again passed, affirming the same principle, and in the following April our views were again enforced on the President of the Local Government Board. The very favourable testimony to the working of the Edinburgh clause led the Council at the same time to pass a resolution requesting their President, Mr. Hastings, M.P., to introduce in the House of Commons a general Bill applying the principle to the whole of England, Scotland and Wales. A measure was therefore drafted for the Association by Mr. Michael, Q.C., but the state of public business prevented its going beyond the stage of the first reading. It was re-introduced in the past session, the names on its back being those of Mr. Hastings, Sir Trevor Lawrence, Dr. Farquharson, and Mr. Brinton. Meanwhile, however, the whole question of a system of compulsory notification of

the existence of infectious disease was raised in the House of Commons by the appointment, in March last, of a Select Committee to consider, amongst other matters, the notification clauses in seven private Bills introduced at the beginning of the session, and then standing for second reading. The Select Committee inquired into all the matters referred to them with laborious diligence, and having sat almost *de die in diem*, their report was presented to Parliament on June 9 last. In regard to the question of notification, the weight of the evidence in favour of a compulsory system, applicable alike to all urban sanitary authorities, was so great that the Committee unanimously recommended for adoption clauses drawn on the lines of the recommendation of the Association, the leading feature of which is that notification shall be made direct by the medical attendant to the sanitary authority. Intimation is also to be given by those in charge of a patient suffering from an infectious disease; a dual system receiving, therefore, the support of the legislature. These clauses were adopted by the House of Commons and ordered to be inserted in the private Bills, which, as amended by the Select Committee and the House of Lords, were duly enacted in the past session.

52. Canal and River Population.⁵¹—The subject of the social and sanitary condition of the canal and river population was considered by the Health Committee and by the Council in 1877, when representations were made to the Home Secretary urging the necessity of early legislation with a view to the prevention of overcrowding, the spread of infectious diseases, the evasion of the Acts for the registration of births and deaths, and vaccination, the neglect of education, and the deterioration of morality. The Canal Boats Act of 1877, warmly and mainly promoted by Mr. George Smith, of Coalville, was passed shortly afterwards. In 1880 the Health Committee instituted an inquiry into the working and operation of this Act, issuing to all the authorities charged with its administration a series of questions as to the number of boats registered, the system of inspection adopted, &c. The replies received were afterwards presented in a tabular statement which gave interesting and valuable information as to the working of the Act, and practical suggestions for its amendment.

⁵¹ *Transactions*, 1876, p. 614; 1877, p. xxxvi.; 1880, p. 622; 1881, p. xxxviii. *Sessional Proceedings*, vol. x., pp. 21, 312; vol. xiv., p. 143.

53. Adjustment of Areas.⁵³—The joint Committee on State Medicine, of this Association and the British Medical Association, presented in 1877 a memorial to the President of the Local Government Board, expressing a strong opinion that the constitution of local government districts, and the present anomalous condition of their boundaries in relation to the carrying out of sanitary measures, offered serious obstacles to good local government; and the memorialists urged that any Bill on county government should provide for a re-arrangement of county boundaries, especially in cases where local districts include part of more than one county, and when physical circumstances, with relation to drainage and water supply, required an alteration of existing limits.

54. Building Bye-Laws.⁵⁴—The Metropolis Management and Building Acts Amendment Bill of 1878 was considered by the Health Committee in this year, and amendments recommending the abandonment of the permissive powers sought by the Metropolitan Board of Works, and suggestions for some other small alterations in detail, were

⁵³ *Transactions*, 1878, pp. xxxvii., 549.

⁵⁴ *Transactions*, 1878, p. xxxv. ; 1879, pp. xxix., xliii., 463-488.

forwarded to the Select Committee of the House of Commons which was then sitting on the Bill. It was enacted, with stringent provisions, at the close of the same session as the 41 & 42 Vict. c. 32. At the Manchester Congress in 1879, after the reading of papers by Mr. Joseph Corbett and Dr. Seaton, a resolution was adopted in favour of giving to urban and rural authorities power to make building bye-laws relating to the same subjects, the bye-laws themselves to be adapted in each case to the wants and circumstances of the locality. The arguments in favour of this resolution were urged by the Council on the President of the Local Government Board, who admitted the force and value of our recommendations, and promised that they should receive the careful consideration of the Government.

55. Provident Dispensaries.⁵⁵—In response to an invitation from the promoters of the Metropolitan Provident Dispensaries Association, delegates from our own body attended a public meeting in 1880, when the new Dispensaries Association was formally established, and Dr. Alfred Carpenter was elected on its Council as the representative of the Social

⁵⁵ *Transactions*, 1879, p. xliii. ; 1881, pp. xli., 868.

Science Association. The Society, which was formed 'for the purpose of arranging, on provident principles, for the ordinary medical treatment of the industrial classes in due relation to the hospitals,' possesses at the present time eight provident dispensaries, several of which are, by degrees, becoming self-supporting.

56. Smoke Abatement.⁵⁶—At many of our meetings the question as to the adoption of means for the abatement of the evils resulting from the smoke nuisance has been discussed. The Council co-operated in 1881 with the joint Committee of the National Health and Kyrle Societies, by appointing Dr. Alfred Carpenter as their representative on that body, with a view to join in the experiments initiated by them for the purpose of testing the properties of various kinds of coal and apparatus for their combustion. An exhibition on a large scale of stoves and grates, held at South Kensington, and afterwards transferred to Manchester, was the means of bringing to the view of the public many practical and admirable appliances for the abatement of the smoke nuisance.

⁵⁶ *Transactions*, 1881, p. xxxix.

ECONOMICS.

In this Department are considered the various questions relating to economics—social, political and commercial.

57. Trades Unions and Strikes.⁵⁷—At the Liverpool meeting in 1858 an animated discussion took place on the question of strikes and trade unions; and in pursuance of a wish expressed by many of the members, the Council appointed a special Committee to make inquiries on this subject. The Committee was composed, with a view to strict impartiality, of employers of labour and representatives of working men, with some gentlemen who joined for the purpose of economical inquiry. During two years of assiduous work a large amount of information was collected, and the result was finally published, together with the report of the Committee, in a volume of 640 pages,

⁵⁷ *Transactions*, 1859, pp. xxxiii., 657; 1860, p. xxiv.; 1861, p. xl.; 1867, p. xlii.; 1870, p. xxxvi.; 1871, pp. xxxviii., xxxix.; 1872, p. xli.; 1873, p. xxxvii. *Sessional Proceedings*, vol. iii., p. 259; vol. iv., p. 348; vol. v., p. 388; vol. vi., p. 221; vol. vii., p. 277.

presented to the Association at its Glasgow meeting in 1860. At a later period, viz., in 1867, the importance of spreading information as to the relations between capital and labour, and of promoting an amicable adjustment of differences between employers and employed, induced the Council to summon a special meeting of the Association, which was held on July 4 in that year, under the presidency of the Right Hon. W. E. Gladstone. At this and an adjourned meeting a Committee was appointed, and a series of resolutions explanatory of its objects passed. Mr. Gladstone was appointed chairman of the Committee, and an executive sub-committee was elected to carry on the work. In the following year six lectures on economic science were given under the auspices of this Committee, and the subject of legislation in connection with trades unions having been considered, resolutions suggestive of amendments in the law were drawn up and circulated. The Committee also memorialised the President of the Privy Council with regard to the teaching of economic science in schools. In 1871 the Labour and Capital Committee made three endeavours to put an end to the Nine Hours' Strike of the Engineers at Newcastle, where the Congress had met in the

previous year. Mr. Walter Morrison, then M.P., and the General Secretary (Mr. Pears), met the League Committee, representing the men, and saw also some of the masters. Subsequently Mr. Mundella, M.P., a member of the Committee, visited Newcastle, and the Committee had reason to believe that their endeavours, although temporarily unsuccessful, materially assisted in bringing about the ultimate settlement of the questions in dispute. In this year (1871) resolutions in favour of the Trades' Union Bill, introduced into the House of Commons by the Government, were presented to the Secretary of State for the Home Department. The Bill adopted several of the principles recommended by the Committee on Labour and Capital as a basis of legislation, and it finally passed on June 29 as the 34 & 35 Vict. c. 31. A memorial was also presented to the Secretary of State for the Home Department on the subject of boards of arbitration and conciliation, calling attention to the desirableness of providing a cheap and simple legal means of carrying out a system of trade arbitration, and of enforcing awards in cases where both parties voluntarily adopted such legal powers. In 1872 the Committee on Labour and Capital had under their notice the builders' lock-out and strike in London,

and were able to render useful service. Resolutions of the Committee, advising a friendly conference between the masters and workmen, and, if necessary, a reference to arbitration, were issued, and the masters at once expressing their willingness to adopt them, and the masons also subsequently giving their consent, the result was a speedy abandonment of the strike, so far as the masons were concerned, and the complete cessation of the lock-out. In the following year the Committee had under consideration various strikes and threatened strikes. Representatives of the Committee visited Barnsley to assist in bringing a dispute between the power-loom weavers and their employers to an end, and to urge arbitration as the basis of the settlement of their disputes. This at first was rejected, but ultimately the principle was adopted, subject to certain conditions. The award of the arbitrators was given in favour of the employers; and the Committee received the thanks of both parties for their services.

58. Taxation.⁵⁸—The best mode of levying taxes, so as to press least on the industrial energy and resources of the country, has been the

⁵⁸ *Transactions*, 1861, p. xlv. ; 1874, p. xli.

subject of discussion at several of our meetings. A Committee was appointed to consider this question in 1860, when they published a collection of papers prepared by several of their members, setting forth various and conflicting views. The subject of local taxation and government was again considered by a special Committee in 1873, when they issued a valuable report on the questions involved, which affected many various and complicated interests.

59. Post Office Savings Banks.⁵⁹—Our *Transactions* contain much valuable information in reference to savings banks, to the extension of facilities for the investment of small sums, and to the promotion of means for the inculcation of habits of thrift. The system of Post Office Savings Banks had its direct origin in a paper read before the Association at the Bradford meeting in 1859 by our member Mr. C. W. Sikes, of Huddersfield, and in a statement of the details of his proposed plan which he submitted to the Chancellor of the Exchequer, the Right Hon. W. E. Gladstone, M.P. For his valuable suggestions, ably advocated, Mr. Sikes was very recently, viz., in 1881, the recipient

⁵⁹ *Transactions*, 1858, p. 648; 1859, p. 730; 1861, p. xlv.

of the honour of knighthood. To another of our old members, Colonel Akroyd, of Halifax, must also be given the credit of having one year earlier, viz., at our Liverpool Congress in 1858, planted the germ of a plan for the establishment of county savings banks, and of suggesting that they should be 'distributed as numerous and as regularly as the post offices and their branches.'

60. Social Condition of Irish Labourers in Great Britain.⁶⁰—Sir James Emerson Tennent, when presiding over the Economy Department at Glasgow in 1860, suggested as an interesting topic for inquiry the social condition of the Irish labourers, immigrants in Great Britain. A large amount of information on this subject had been collected by a Commission in 1835, and the results embodied in an important report, but as more than a quarter of a century had elapsed subsequent to the inquiries of that body, and great social changes had taken place in the interval throughout the United Kingdom, the Council thought it desirable to follow the recommendations of Sir James Tennent, and to appoint a Committee to collect further information. The Committee accordingly issued

⁶⁰ *Transactions*, 1860, p. 137 ; 1861, p. xlii.

sets of queries to employers of labour, clergymen, medical officers, police superintendents, and others, and a report analysing the evidence they received was prepared for presentation to the London meeting in 1862.

61. Licensing Laws.⁶¹—Our *Transactions* abound with papers and discussions on the laws regulating the sale of intoxicating liquors, and the Council also have on several occasions considered this important subject. It has furthermore been often referred to special Committees, and suggestive reports have been drawn up and urged on Her Majesty's Government. A series of resolutions was so presented to the Secretary of State for the Home Department in 1872, when the Licensing Bill of the Government was before the House of Commons. Many of our suggestions were on that occasion adopted by the legislature, the creation, for instance, of a county licensing committee, in place of entrusting the execution of the law to a large and fluctuating body of justices, having been our recommendation. (35 & 36 Vict. c. 94, sec. 37.)

⁶¹ *Transactions*, 1857, p. 605; 1862, p. 525; 1866, p. xli.; 1867, p. xxxviii.; 1872, p. xl.; 1876, p. xl.; 1877, p. 160. *Sessional Proceedings*, vol. i., pp. 131, 339; vol. v., p. 170; vol. x., p. 178.

62. Gambling Farms at Hong Kong.⁶²—

Memorials were presented in 1868, 1869, and 1870, and representations were in other ways made, urging with great force upon Her Majesty's Government the necessity of suppressing these gambling houses. The action of the Association contributed materially to the absolute suppression of the evil ; and it is now a source of gratification that licensed gambling has ceased to exist in the British dominions.

63. Social Condition of Merchant Seamen.⁶³

—The question of the condition of merchant seamen, the temptations to which they were subjected, and the ill usage they occasionally experienced, were brought before the Association at our Liverpool meeting in 1858, by the Rev. J. Carter, chaplain of the Borough Gaol, in an able paper read in the Repression of Crime Section. Advantage was again taken of our second meeting at that great port in 1876 to consider specially the question as to the means of improving the professional and

⁶² *Transactions*, 1869, p. xxxiii. *Sessional Proceedings*, vol. i., p. 437 ; vol. ii., p. 187 ; vol. iv., p. 460.

⁶³ *Transactions*, 1858, p. 349 ; 1876, pp. xl., 670, 882 ; 1877, p. xxxvii., 161 ; 1878, p. 162 ; 1880, p. 121. *Sessional Proceedings*, vol. x., p. 177 ; vol. xi., p. 113.

social condition of seamen, and enforcing discipline at sea. Exhaustive papers on the subject were contributed by Mr. Alexander Balfour and Mr. John Williamson, and these gave rise to an animated and a prolonged debate in a crowded section. At its close a resolution was unanimously passed, recommending the Council to urge on the Government the desirableness of instituting an inquiry into the subject brought under our notice. In pursuance of this recommendation the Council adopted, and presented to the Board of Trade, a series of fourteen resolutions, prepared by the Committee of the Economy Department. The Council specially enumerated as deserving inquiry, the health of seamen afloat; the sanitary condition of ships, the rate of mortality in the mercantile marine, the evils arising from the vicious system of delaying the payment of wages for some days after the arrival of a ship in port; also those caused by the advance note, and the superior advantages of payment by monthly allotments or otherwise, as is done in the Royal Navy; and the expediency of establishing a pension and life insurance fund for seamen, adapted to their peculiar circumstances. In the following year the Committee resumed their investigations, and successfully urged upon Parlia-

ment the introduction of a clause in the Merchant Seamen's Bill, then before the House of Commons, for an improved system of paying seamen's wages. The Bill was, however, withdrawn, but a new measure was brought forward in the session of 1880 for the purpose of abolishing the advance note, for securing immediate payment of wages on the discharge of the crew, and for the enactment of useful legislation as to lodging-houses for men. To give, moreover, further effect to our recommendations, Mr. Hastings moved the adoption of an additional clause providing for the establishment of a system of allotment notes, by which the seaman is entitled to have his wages, during the time of his service, paid into a savings bank, or to his wife, or to any other person appointed by him. This clause was accepted by Her Majesty's Government, and now stands on the statute book as sect. 3 (1) and (2) of the 43 & 44 Vict. c. 16. (See also Nos. 35 and 40.)

ART.

In this Department are considered all questions bearing upon Art in its relation to the civilization, education, and industrial development of the people, and on the best methods of cultivating a sound and high standard of taste in all ranks of the nation.

IN the Chapter on the 'Constitution of the Association,' it was pointed out that, although the Council were recommended in 1864 to establish a separate Section for the consideration of subjects relating to Art, it was not until the year 1876 that the present Fifth Department was constituted.* Since its formation, addresses of deep interest and value have been delivered at the annual Congresses by eminent artists and others; and many instructive papers have been read and usefully discussed. And if we cannot in this place indicate, after the manner adopted in our narrative of the proceedings of the other Departments, actual and definite results as an outcome of our labours, we may, at least, be permitted to express the hope that in this age of development of taste and art culture, our endeavours to aid in giving the impulse a wholesome

* See *ante*, pp. 16, 18, 20,

direction have not been entirely unsuccessful. We have already, in the narrative of results in the Jurisprudence Department, alluded to the action of the Association in the matter of obtaining an amendment of the law as regards copyright in works of fine art;* and attention may here be directed to a discussion which followed the reading of a paper by Professor Fleeming Jenkin, at our Edinburgh meeting in 1880, when a resolution was passed recommending the Council to appoint a Committee to promote the establishment of a Royal Dramatic Academy, if, on inquiry, this should be considered possible and desirable. An influential Committee was shortly afterwards nominated by the Council, but the result of preliminary inquiries having shown the desirableness of deferring for the present any action in the direction indicated in the Edinburgh resolution, the special Committee has not yet been formally constituted.†

With regard to the future of this, the youngest Department of our Association, we believe that we may with hope and confidence look forward to an increasing interest in its labours, and to the growth of more practical results and greater usefulness.

* See *ante*, p. 57.

† See *Transactions*, 1880, p. 782; 1881, p. xl.

SOCIETIES FORMED IN CONNECTION
WITH, AND AFFILIATED TO, THE
SOCIAL SCIENCE ASSOCIATION.

Society for Promoting the Industrial Employment of Women.*—The need for an extension of the industrial employment of women, and of their better education for that end, was among the earliest of the questions discussed by the Association ; and an increased interest manifested in the subject during the early period of our existence induced the Council, at the close of 1859, to appoint a Committee to inquire into and report thereon. At the suggestion of that Committee, and in consequence of important information obtained by them, the Council shortly afterwards sanctioned the establishment of the Society bearing the above designation. For some years it held its annual meeting at the same time and place as our own body, to which its reports were presented. The Society is now permanently established at 22,

* *Transactions*, 1857, p. 531 ; 1859, p. xxxv. ; 1860, p. xviii. ; 1861, p. xlii. *Sessional Proceedings*, vol. xii., p. 91.

Berners Street ; and its papers and reports testify to the practical value of its operations.

Ladies' Sanitary Association.*—This Society was formed under the auspices of, and was affiliated to, our own Association in the year 1859. Its objects are the diffusion of sanitary knowledge, and the promotion of physical education, especially among the working classes. It possesses now an independent and wide-spread organisation of its own, and its labours are productive of much good.

Workhouse Visiting Society.†—The serious defects in the management of workhouses, especially of those of the metropolis, engaged in 1858 the attention of the Committee of the Economy Department, by whom a representation was made to the Poor Law Board on the subject. The interest thus excited among many of the members led to the formation, in the same year, under the sanction of the Association, of the 'Workhouse Visiting Society.' The first annual meeting of the Society was held during the sitting of our Bradford

* *Transactions*, 1858, p. 531 ; 1861, p. xxxix. ; 1862, p. 1. ; 1881, p. 654.

† *Transactions*, 1858, p. xxxi. ; 1859, pp. xxv., 696 ; 1860, p. xx. ; 1862, p. xlix. ; 1863, p. xli.

Congress in 1859, when a report of its proceedings was presented by Miss Louisa Twining. As its Hon. Secretary, her zealous care and indefatigable exertions for the improvement of the condition of the inmates of workhouses, and the institution of industrial houses for girls, resulted in a wide-spread success of the operations of the Society. By its means information was diffused on the subject of workhouse management, and the co-operation of guardians and chaplains in improving the condition of their inmates enlisted ; and it is gratifying to record that in the places where our earlier Congresses were held, the effect of our meetings was to leave open the workhouses to the inspection of lady visitors, under the control and direction of the existing authorities. The Society continued for many years to hold its annual meetings during the sitting of our Congresses.

Women's Education Union.*—The Association has always endeavoured to lend its assistance to this Society, on the Committee of which it has from the first had a representative. Among the results of the labours of the Union—the origin of which was due to the zeal and practical efforts of

* *Transactions*, 1879, p. 442.

Mrs. William Grey—may be recorded the institution, in 1872, of the Girls' Public Day Schools Company, which has met with a large measure of success in promoting middle-class education of girls, both in London and in provincial towns. This Company is now financially a prosperous one, and pays to its shareholders a good dividend.





CHAPTER IV.

CONCLUSION.

WE have now completed our sketch of the narrative of some of the proceedings instituted by the Association in its various Departments. Although necessarily a rough one, its outlines will be sufficiently clear to indicate the scope and design of our work, and to exhibit at a glance the methods by which lasting results have been attained. As a record of labours extending over a quarter of a century, carried on at all times quietly and unostentatiously, and by men of all shades of party politics, it will, we may hope, receive the favourable consideration of those unacquainted with our mode of procedure. While, on the one hand, we always encourage and welcome at our annual meetings free discussion, we must

not, on the other, overlook the work of detail carried on by the Council and Committees at other periods of the year, when, animated and guided by the same principle, the practical usefulness of the Association is brought into active and direct operation.

Although it is at our annual Congresses and at our evening meetings in London that the subjects for discussion are, as a rule, primarily brought under the notice of the public, attention should be given to the fact that the practical results of the consideration of subjects taken up in earnest are subsequently accomplished by the agency of constant and assiduous committee work. The meetings of the Council and of the various standing and special Committees are held throughout the year, and when we state that between each Congress they are summoned nearly one hundred times, some idea may be formed of the extent of the inquiries instituted, and of the expense which the preparation and issue of their reports involve.

The financial resources of the Association are not infrequently liable to a strain, and it is at all times necessary to watch them carefully; but with a larger accession of permanent members anxiety

on this score might be allayed. There is a very prevalent notion that the only advantages to be derived are personal to those who join the annual Congresses: that if on these occasions they pay their guinea or half-guinea, *they* will get their money's worth; and that if they are unable to attend, there can be no use in their subscribing permanently. A large source of the income of the Association is, of course, derived from the proceeds of the sale of tickets at the annual meetings, but a much larger source should be found in the subscriptions of permanent members. In recent years, however, owing to many causes, there has been a falling off in the permanent annual subscriptions; and attention is now drawn to this fact, and to the enlarging sphere of the labours of the Association, with a view to remove a prevalent misconception as to the need of substantial support in aid of practical work, carried on at times other than those taken up by the more popular meetings of the Congresses. The foregoing *Narrative* of our labours and their results will, without doubt, remove this misconception; and, by placing in clear light a true record of past proceedings, it will also, we may confidently hope, be

the means of encouraging others to help and support the Association and to share in its practical and useful work.*

* The Secretary will be happy to forward application forms for membership to any persons desirous of joining the Association.





APPENDICES



APPENDIX A.

TABLE SHOWING THE YEAR AND PLACE OF MEETING OF THE ANNUAL CONGRESSES, THE PRESIDENTS OF THE ASSOCIATION, THE PRESIDENTS OF DEPARTMENTS, AND THE PREACHERS OF THE ANNUAL SERMONS.

Year and Place of Meeting	President of the Association	Departments, and Presidents of Departments	Preacher of the Sermon
FIRST PERIOD. 1857 TO 1860.			
1857. BIRMINGHAM.	The Right Hon. Lord Brougham.	<p>I. JURISPRUDENCE AND AMENDMENT OF THE LAW.—The Right Hon. Lord John Russell, M.P. Hon. Sir John S. Pakington, Bart., M.P.</p> <p>II. EDUCATION.—The Right Hon. Sir John S. Pakington, Bart., M.P.</p> <p>III. PUNISHMENT AND REFORMATION.—The Right Hon. and Right Rev. the Lord Bishop of London.</p> <p>IV. PUBLIC HEALTH.—The Right Hon. Lord Stanley, M.P.</p> <p>V. SOCIAL ECONOMY. — Sir Benjamin Collins Brodie, Bart., M.D., F.R.S.</p>	The Rev. Sidney Turner, M.A.
1858. LIVERPOOL.	The Right Hon. Lord John Russell, M.P.	<p>I. JURISPRUDENCE AND AMENDMENT OF THE LAW.—The Right Hon. Joseph Napier, Lord Chancellor of Ireland.</p>	The Rt. Rev. the Lord Bishop of Chester.

1859. BRADFORD.	The Right Hon. the Earl of Shaftesbury.	<p>II. EDUCATION.—The Right Hon. William Cowper, M.P.</p> <p>III. PUNISHMENT AND REFORMATION.—The Right Hon. the Earl of Carlisle, K.G.</p> <p>IV. PUBLIC HEALTH.—The Right Hon. the Earl of Shaftesbury, K.G.</p> <p>V. SOCIAL ECONOMY.—The Right Hon. Sir James Stephen, K.C.B.</p>	The Rt. Rev. the Lord Bishop of Ripon.
1860. GLASGOW.	The Right Hon. Lord Brougham.	<p>I. JURISPRUDENCE AND AMENDMENT OF THE LAW.—Vice-Chancellor Sir W. Page Wood.</p> <p>II. EDUCATION.—The Right Hon. C. B. Adderley M.P.</p> <p>III. PUNISHMENT AND REFORMATION.—Richard Monckton Milnes, M.P.</p> <p>IV. PUBLIC HEALTH.—The Right Hon. William Cowper, M.P.</p> <p>V. SOCIAL ECONOMY.—Sir James P. Kay-Shuttleworth, Bart.</p> <p>I. JURISPRUDENCE AND AMENDMENT OF THE LAW.—The Right Hon. James Moncrieff, M.P. Lord Advocate for Scotland.</p> <p>II. EDUCATION.—Sir James P. Kay-Shuttleworth, Bart.</p> <p>III. PUNISHMENT AND REFORMATION.—The Hon. Arthur Kinnaid, M.P.</p> <p>IV. PUBLIC HEALTH.—Viscount Ebrington.</p> <p>V. SOCIAL ECONOMY.—Sir James Emerson Tennent.</p>	The Rev. John Robertson, D.D.

TABLE SHOWING THE YEAR AND PLACE OF MEETING, ETC.—(continued).

Year and Place of Meeting	President of the Association	Departments, and Presidents of Departments	Preacher of the Sermon
1861. DUBLIN.	The Right Hon. Lord Brougham.	<p>SECOND PERIOD. 1861 TO 1863.</p> <p>I. JURISPRUDENCE AND AMENDMENT OF THE LAW.—The Right Hon. Joseph Napier.</p> <p>II. EDUCATION.—Sir John George Shaw Lefevre, K.C.B., F.R.S.</p> <p>III. PUNISHMENT AND REFORMATION.—The Right Hon. Thomas O'Hagan, Attorney-General for Ireland.</p> <p>IV. PUBLIC HEALTH.—The Right Hon. Lord Talbot de Malahide.</p> <p>V. SOCIAL ECONOMY.—The Hon. Judge Longfield, LL.D.</p> <p>VI. TRADE AND INTERNATIONAL LAW.—Monsieur Michel Chevalier.</p>	—
1862. LONDON.	The Right Hon. Lord Brougham.	<p>I. JURISPRUDENCE AND AMENDMENT OF THE LAW.—Sir Fitzroy Kelly, Q.C., M.P.</p> <p>II. EDUCATION.—The Very Rev. the Dean of St. Paul's (Dr. Milman).</p> <p>III. PUNISHMENT AND REFORMATION.—Thomas Chambers, Q.C.</p> <p>IV. PUBLIC HEALTH.—William Fairbairn, LL.D., F.R.S.</p> <p>V. SOCIAL ECONOMY.—Richard Monckton Milnes, M.P.</p> <p>VI. TRADE AND INTERNATIONAL LAW.—Travers Twiss, Q.C., D.C.L.</p>	The Very Rev. the Dean of Chichester (at Westminster Abbey).

1863. EDINBURGH.	The Right Hon. Lord Brougham.	<p>I. JURISPRUDENCE AND AMENDMENT OF THE LAW.—The Hon. Lord Curriehill.</p> <p>II. EDUCATION.—Nassau W. Senior.</p> <p>III. PUNISHMENT AND REFORMATION.—The Hon. Lord Neaves.</p> <p>IV. PUBLIC HEALTH.—Professor Christison, M.D.</p> <p>V. SOCIAL ECONOMY.—The Right Hon. Sir John McNeill, G.C.B.</p> <p>VI. TRADE AND INTERNATIONAL LAW.—The Hon. Judge Longfield, LL.D.</p>	The Rev. William Arnot, D.D.
THIRD PERIOD. 1864 TO 1875.			
1864. YORK.	The Right Hon. Lord Brougham.	<p>I. JURISPRUDENCE AND AMENDMENT OF THE LAW.—The Right Hon. Sir James P. Wilde.</p> <p>II. EDUCATION.—His Grace the Archbishop of York.</p> <p>III. PUBLIC HEALTH.—Sir Charles Hastings, M.D., D.C.L.</p> <p>IV. ECONOMY AND TRADE.—Edwin Chadwick, C.B.</p>	His Grace the Lord Archbishop of York.
1865. SHEFFIELD.	The Right Hon. Lord Brougham.	<p>I. JURISPRUDENCE AND AMENDMENT OF THE LAW.—Sir Robert J. Philimore, D.C.L.</p> <p>II. EDUCATION.—Thomas Chambers, Q.C., M.P.</p> <p>III. PUBLIC HEALTH.—Edwin Lankester, M.D., F.R.S.</p> <p>IV. ECONOMY AND TRADE.—Edwin Chadwick, C.B.</p>	The Rev. Canon Sale, D.D.

TABLE SHOWING THE YEAR AND PLACE OF MEETING, ETC.—(continued).

Year and Place of Meeting	President of the Association	Departments, and Presidents of Departments	Preacher of the Sermon
THIRD PERIOD. 1864 TO 1875—(continued).			
1866. MANCHESTER.	The Rt. Hon. the Earl of Shaftesbury, K.G.	I. JURISPRUDENCE AND AMENDMENT OF THE LAW.—The Hon. George Denman, Q.C., M.P. II. EDUCATION.—The Right Hon. H. Austin Bruce, M.P. III. PUBLIC HEALTH.—William Farr, M.D., F.R.S. IV. ECONOMY AND TRADE.—Sir James P. Kay-Shuttleworth, Bart.	The Rev. Canon Richson, M.A.
1867. BELFAST.	The Right Hon. Lord Dufferin and Clandeboye.	I. JURISPRUDENCE AND AMENDMENT OF THE LAW.—The Right Hon. Mr. Justice O'Hagan. II. EDUCATION. — Thomas Andrews, M.D., F.R.S. III. PUBLIC HEALTH.—Sir James Simpson, Bart., M.D., F.R.S. IV. ECONOMY AND TRADE.—Sir Robert Kane, F.R.S.	—
1868. BIRMINGHAM.	The Right Hon. the Earl of Carnarvon.	I. JURISPRUDENCE AND AMENDMENT OF THE LAW.—The Right Hon. W. N. Masey. II. EDUCATION.—The Right Hon. Lord Lyttelton. III. PUBLIC HEALTH.—Henry W. Rumsey, M.D. IV. ECONOMY AND TRADE.—Professor Fawcett, M.P.	The Rt. Rev. the Lord Bishop of Worcester.

1869. BRISTOL.	The Rt. Hon. Sir Stafford Northcote, Bart., M.P.	<p>I. JURISPRUDENCE AND AMENDMENT OF THE LAW.—George Woodyatt Hastings.</p> <p>II. EDUCATION.—The Rev. Canon Kingsley, M.A.</p> <p>III. PUBLIC HEALTH.—John A. Symonds, M.D., F.R.S.</p> <p>IV. ECONOMY AND TRADE.—The Right Hon. Stephen Cave, M.P.</p>	The Rt. Rev. the Lord Bishop of Gloucester and Bristol.
1870. NEWCASTLE-ON-TYNE.	His Grace the Duke of Northumberland.	<p>I. JURISPRUDENCE AND AMENDMENT OF THE LAW.—The Hon. Lord Neaves.</p> <p>II. EDUCATION.—Lyon Playfair, LL.D., C.B., F.R.S., M.P.</p> <p>III. PUBLIC HEALTH.—Robert Rawlinson, C.E., C.B.</p> <p>IV. ECONOMY AND TRADE.—Sir William Armstrong, LL.D., D.C.L., C.B., F.R.S.</p>	The Rev. Canon Morris, M.A.
1871. LEEDS.	The Rt. Hon. Sir John S. Pakington, Bart., G.C.B., M.P.	<p>I. JURISPRUDENCE AND AMENDMENT OF THE LAW.—W. Vernon Harcourt, Q.C., M.P.</p> <p>II. EDUCATION.—Edward Baines, M.P.</p> <p>III. PUBLIC HEALTH.—George Godwin, F.R.S.</p> <p>IV. ECONOMY AND TRADE.—William Newmarch, F.R.S.</p>	The Very Rev. the Dean of Durham.
1872. PLYMOUTH AND DEVONPORT.	The Right Hon. Lord Napier and Ettrick, K.T.	<p>I. JURISPRUDENCE AND AMENDMENT OF THE LAW.—Sir John Duke Coleridge, Q.C., M.P.</p> <p>II. EDUCATION.—George Woodyatt Hastings.</p>	The Rev. Brooke Lambert, M.A., B.C.L.

TABLE SHOWING THE YEAR AND PLACE OF MEETING, ETC.—(continued).

Year and Place of Meeting	President of the Association	Departments, and Presidents of Departments	Preacher of the Sermon
THIRD PERIOD. 1864 TO 1875—(continued).			
1873. NORWICH.	The Right Hon. Lord Houghton, D.C.L., F.R.S.	III. PUBLIC HEALTH.—H. W. D. Ac- land, M.D., D.C.L., F.R.S.	The Hon. and Rt. Rev. the Lord Bishop of Nor- wich.
		IV. ECONOMY AND TRADE.—Sir John Bowring, LL.D.	
		I. JURISPRUDENCE AND AMENDMENT OF THE LAW.—Joseph Brown, Q.C.	
		II. EDUCATION.—Professor W. B. Hodg- son, LL.D.	
1874. GLASGOW.	The Rt. Hon. the Earl of Rosebery.	III. PUBLIC HEALTH.—Captain Douglas Galton, C.B., F.R.S.	The Very Rev. Principal Caird, D.D.
		IV. ECONOMY AND TRADE.—Thomas Brassey, M.P.	
		I. JURISPRUDENCE AND AMENDMENT OF THE LAW.—The Right Hon. Lord Moncreiff.	
		II. EDUCATION.—The Right Hon. Lord Napier and Etrick, K.T.	
1875. BRIGHTON.	The Right Hon. Lord Aberdare.	III. PUBLIC HEALTH.—The Right Hon. Lyon Playfair, D.C.L., C.B., M.P.	The Rt. Rev. the Lord Bishop of Chichester.
		IV. ECONOMY AND TRADE.—Sir George Campbell, D.C.L., K.C.S.I.	
		I. JURISPRUDENCE AND AMENDMENT OF THE LAW.—Sir Edward Creasy.	
		II. EDUCATION.—Sir Charles Reed.	

- III. PUBLIC HEALTH. — Benjamin W. Richardson, M.D., F.R.S.
 IV. ECONOMY AND TRADE. — M. E. Grant Duff, M.P.

FOURTH PERIOD. FROM 1876.

1876. LIVERPOOL.	The Most Hon. the Marquess of Huntly.	I. JURISPRUDENCE AND AMENDMENT OF THE LAW.—Faiter Herschell, Q.C. M.P. II. EDUCATION.—The Rev. Mark Paterson, B.D. III. PUBLIC HEALTH.—Thomas Hawkey, C.E. IV. ECONOMY AND TRADE.—G. J. Shaw Lefevre, M.P. V. ART.—E. J. Poynter, A.R.A.	The Rev. Canon Gray, M.A.
1877. ABERDEEN.	The Rt. Hon. the Earl of Aberdeen.	I. JURISPRUDENCE AND AMENDMENT OF THE LAW The Hon. Lord Gifford. II. EDUCATION.—The Right Hon. Lord Young. III. PUBLIC HEALTH. — Edwin Chadwick, C.B. IV. ECONOMY AND TRADE. — James Caird, C.E., F.R.S. V. ART.—Lord Ronald Gower.	The Rev. Professor Milligan, D.D.
1878. CHELTENHAM.	The Right Hon. Lord Norton, K.C.M.G.	I. JURISPRUDENCE AND AMENDMENT OF THE LAW.—Alexander E. Miller, Q.C., LL.D. II. EDUCATION.—The Hon. George C. Brodrick.	The Rev. Canon Barry, D.D.

TABLE SHOWING THE YEAR AND PLACE OF MEETING, ETC.—(continued).

Year and Place of Meeting	President of the Association	Departments, and Presidents of Departments	Preacher of the Sermon
FOURTH PERIOD. FROM 1876—(continued).			
1879. MANCHESTER.	The Right Rev. the Lord Bishop of Manchester.	III. PUBLIC HEALTH.—W. H. Michael, Q.C., F.C.S.	The Very Rev. the Dean of Man- chester.
		IV. ECONOMY AND TRADE.—Professor Bonamy Price.	
1880. EDINBURGH.	The Right Hon. Lord Ray.	V. ART.—T. Gambier Parry.	
		I. JURISPRUDENCE AND AMENDMENT OF THE LAW.—Sir Travers Twiss, Q.C., D.C.L., F.R.S.	
		II. EDUCATION.—The Hon. Lyulph Stanley, M.P.	
		III. PUBLIC HEALTH.—Francis S. Powell, M.A.	
		IV. ECONOMY AND TRADE.—Lord Reay.	
		V. ART.—Sir Coutts Lindsay, Bart.	
		I. JURISPRUDENCE AND AMENDMENT OF THE LAW.—The Right Hon. John McLaren, Q.C., M.P., Lord Advocate for Scotland.	The Rev. J. Cameron Lees, D.D.
1880. EDINBURGH.	The Right Hon. Lord Ray.	II. EDUCATION.—Lord Balfour of Bur- leigh.	
		III. PUBLIC HEALTH.—John Beddoe, M.D., F.R.S.	

1881. DUBLIN.	The Right Hon. Lord O'Hagan, Lord Chancellor of Ireland.	<p>IV. ECONOMY AND TRADE.—Sir Ugh- tred J. Kay-Shuttleworth, Bart. V. ART.—Professor W. B. Richmond, M.A.</p> <p>I. JURISPRUDENCE AND AMENDMENT OF THE LAW.—The Right Hon. J. T. Ball, LL.D., D.C.L.</p> <p>II. EDUCATION.—Sir Patrick J. Keenan, K.C.M.G., C.B.</p> <p>III. PUBLIC HEALTH.—Charles Cameron, M.D., LL.D., M.P.</p> <p>IV. ECONOMY AND TRADE.—Goldwin Smith, M.A.</p> <p>V. ART.—Viscount Powerscourt, K.P.</p>	George Woodvatt Hastings, M.P.	The Rev. J. Mau- rice Wilson, M.A.
1882. NOTTINGHAM.		<p>I. JURISPRUDENCE AND AMENDMENT OF THE LAW.—Henry Fox Bris- towe, Q.C.</p> <p>II. EDUCATION.—William Woodall, M.P.</p> <p>III. PUBLIC HEALTH.—Sir Rutherford Alcock, K.C.B.</p> <p>IV. ECONOMY AND TRADE.—Professor Bonamy Price, M.A.</p> <p>V. ART.—George Aitchison, A.R.A.</p>		



APPENDIX B.



LAWS OF THE ASSOCIATION.

Object and Organisation.

I. The object of the Association is to aid the development of Social Science.

II. The Association comprises five Departments : the first, for Jurisprudence and Amendment of the Law ; the second, for Education ; the third, for Health ; the fourth, for Economy and Trade ; and the fifth for Art.

III. The Association consists of Ordinary Members, Corporate Members, Foreign Corresponding Members, and Associates.

Terms of Membership.

IV. Any person who pays an Annual Subscription of One Guinea, or a Life Subscription of Ten Guineas, to the Funds of the Association, is an Ordinary Member.

V. Any Public Body paying to the Funds of the Association an Annual Subscription of Two Guineas, is a Corporate Member.

VI. Foreign Corresponding Members are elected by the Council, the number of such Members being limited by Bye-Law. Foreign Corresponding Members are exempt from payment.

VII. Any person who pays Half a Guinea to the Funds of the Association is an Associate for the Annual Meeting for which such payment is made.

VIII. The Annual Subscription is payable in advance on the first day of August in each year.

Officers and Government.

IX. The Association has a President, Vice-Presidents, Presidents and Vice-Presidents of Departments, a President of Council, a General Secretary, a Treasurer or Treasurers, Foreign Secretary, and Secretaries of Departments, who are annually elected, and hold office until the appointments of the following year are made.

X. The Association is governed by a Council, and by an Executive Committee, subject to the directions of the Council.

XI. The Council consists of the following persons:—

1. The President, Vice-Presidents, Presidents and Vice-Presidents of Departments, General Secretary, Treasurers, Foreign Secretary, and Secretaries of Departments.

2. Every member who has filled the office of President or President of a Department, or who has filled for three years the office of General Secretary, Treasurer, Foreign Secretary, or Secretary of Department.

3. Every member who, up to the 31st of July, 1862, had served for three years as a Member of Council.

4. Every Member of either House of Parliament who is also a Member of the Association.

5. Such Members, not exceeding fifteen in each Department, as shall be annually nominated by the Standing Committee of each Department.

6. Such Representatives of any Branch or Local Association, not exceeding two, as may be nominated from time to time by such Branch or Local Association.

7. Such Representative of any Society existing in connection with the Association as may be nominated from time to time by such Society.

8. Such Representative of any Learned Society, or Chamber of Commerce, being a Corporate Member of the Association, as may from time to time be nominated by such Corporate Member.

9. Such Members as may be nominated by the Association, on the recommendation of the Council, for special services to the Association.

10. Such Members, not exceeding twelve, as shall be annually nominated by the Council, on the recommendation of the Executive Committee.

XII. The Executive Committee consists of the President of Council, the General Secretary, the Treasurer,

the Foreign Secretary, one Secretary from each Department nominated by the Council, and Twelve Members elected annually by the Council.

XIII. The Council meets at the time of the Annual Meeting of the Association, at three other times during the year, and also when specially summoned by the Executive Committee.

Annual and other Meetings.

XIV. An Annual Meeting for the reception of the Address of the President, and of the Reports of the Council and Standing Committees, and for the reading and discussion of Papers, is held in such place, and at such time, as may be appointed by the Council.

XV. A Business Meeting of the Members is held in each year at the office of the Association, at such time as may be appointed by the Council, to receive a Report from the Council on the Financial and other business of the Association, to elect the Officers and Standing Committees for the ensuing year, and to enact such Laws as may from time to time be required.

XVI. The Council has the power of summoning a General Meeting of Members, on fourteen days' notice, for such purpose, and at such time and place, as it thinks fit.

XVII. The General Secretary, on receiving a requisition signed by twenty Members, summons, at such time, being within thirty days, and at such place as he

thinks fit, a General Meeting of the Members, for the purposes stated in such requisition.

XVIII. Special Meetings are held in London, under the regulation of the Executive Committee, for reading Papers, and for discussion, on specific questions.

Rights and Privileges of Members.

XIX. Every Ordinary Member has the right of attending and voting at the Annual Meeting, the Business Meeting of Members, and all other General Meetings of the Association, of being eligible to any of its offices, and of receiving gratuitously its *Transactions*.

XX. Any Ordinary Member, whose name has been submitted for that purpose to, and approved by, the Executive Committee, and who pays an additional annual subscription of One Guinea, or an additional life subscription of Ten Guineas, has the privileges of attending and voting at the Special Meetings mentioned in Law XVIII., of receiving all publications issued in connection with such Meetings, and of using the Library at the office of the Association.

XXI. Every Corporate Member receives gratuitously a copy of the *Transactions*, and may nominate two Representatives to attend the Meetings of the Association.

XXII. Every Foreign Corresponding Member has all the rights of an Ordinary Member, except that of eligibility to the Council.

XXIII. Every Associate has the right of attending and voting at the Annual Meeting, held by Law XIV.

Standing and other Committees.

XXIV. A Standing Committee for each Department is annually elected at the Business Meeting of Members. A Standing Committee has the power to appoint Sub-committees.

XXV. Special Committees are appointed by the Association or by the Council, to consider and report on specific subjects of reference.

XXVI. The President of Council is, *ex officio*, a Member of every Standing Committee, and the General Secretary and the Foreign Secretary are, *ex officio*, Members of every Committee and Sub-committee. The Secretary of each Department is, *ex officio*, a Member of every Committee and Sub-committee of such Department.

Constitution and Conduct of Meetings.

XXVII. For General Meetings of the Association twenty Members, for Meetings of the Council seven Members, for those of the Executive Committee five Members, and for those of other Committees and Sub-committees, three Members form a quorum.

XXVIII. At all the aforesaid Meetings the Chairman has a vote ; if the votes be equal he has also a casting vote.

XXIX. No original motion, of which previous notice has not been given, is put from the Chair at any Meeting of the Association held under Laws XIV., XV., or XVI.

Finances.

XXX. The funds of the Association are kept in its name at a Bank. All sums received on account of the Association are paid into the Bank ; and all cheques on the Bank are drawn by order of the Council or of the Executive Committee, signed by the Treasurer, and countersigned by the Secretary.

XXXI. At the Business Meeting of Members two Auditors, not being Members of the Executive Committee, are appointed on motion, by show of hands, to audit the accounts of the ensuing year.

XXXII. The Accounts of the Association are made up to the end of June in each year ; and, after being duly audited, are appended to the Annual Report of the Council.

Vacancies in Offices.

XXXIII. The Council fills up any vacancy occurring during the year in any of the offices named in Law IX., or in any other office of the Association.

TRANSACTIONS.

The *Transactions* of the Association are published by Messrs. Longmans and Co., Paternoster Row ; but

Members desirous of completing their sets of volumes may obtain copies at the Office of the Association, at the reduced price of 8s. each, excepting those of 1857, 1858, and 1859. The Journal, *Sessional Proceedings*, issued at short intervals during the Session, may be obtained at the Office of the Association, or of P. S. King, Canadian Buildings, King Street, Westminster.





APPENDIX C.



SOCIAL SCIENCE CONGRESS, NOTTINGHAM,
SEPTEMBER 20 TO 27, 1882.

REGULATIONS CONCERNING PAPERS AND DISCUSSION

Papers.

1. Papers on the 'Special Questions' are obtained by the Committees of Departments, and any person wishing to contribute them is requested to communicate with the Secretary of the Department to which the subject belongs, who will inform him whether the Papers required on that subject have been obtained.

2. The number of Papers on any Special Question should not exceed two. Unless the Papers advocate opposite opinions, one Paper is frequently sufficient. It is very desirable to limit the length of these Papers to thirty minutes as read, so as to leave due time for discussion, which it is one of the chief objects of the Association to promote. The attention of writers of Papers should be specially drawn to this consideration.

3. Every Paper must be sent to the Secretary of the Association in London BEFORE SEPTEMBER 1. On the first page of the Paper should be written the question or subject, the name of the Author, and his address. *A short Abstract should accompany every Paper*, both for the convenience of the press at the Congress, and for insertion, subject to the approval of the Council, in the volume of *Transactions*, should it not be deemed desirable to publish the Paper *in extenso*. (Non-compliance with this Regulation is liable to affect injuriously the press reports of the Meeting.)

4. The Council reserve to themselves the right of refusing or abridging any Papers which may be sent in ; and, even in the case of Papers that are accepted, the reading of such Papers must depend on the time at the disposal of the Council.

5. No Paper already published can be read.

6. No Paper, when read, can be published by the Author (unless by permission of the Council) previous to the publication of the *Transactions* of the Association for 1882.

7. The Special Questions will be taken in their respective Departments, one on each day, on the Thursday, Friday, and Monday of the Meeting.

8. Papers on other subjects comprised within the Departments will be received, and will, if approved, be taken on the Saturday and Tuesday, or as opportunity may offer. The length of these Papers (*i.e.* of Voluntary Papers) is limited to twenty minutes in reading.

9. The arrangement of the Papers in the Programme will be adhered to as far as practicable. Papers to be read will be handed to the Authors by one of the Secretaries of the Department to which they belong, at the commencement of the business on the day on which they are appointed to be read. After having been read, each Paper should be returned to the Secretary of the Department.

10. The Council may print any Paper, either wholly or in part, or in an abridged form, or may exclude it from the *Transactions* as they think fit.

Discussions.

1. Ten minutes will be allowed to each Speaker on a Special Question, and five minutes on any other Paper, unless, at the discretion of the President or Chairman for the time being, a longer period might with advantage be allowed.

2. Resolutions put from the chair must only be in the form of recommendations to the Council of the Association, by whom all such recommendations will be carefully considered. The number of persons present, and the proportions voting, must be recorded by the Chairman for the information of the Council.

3. No resolution can be put to a meeting unless, in the opinion of the President (or Chairman for the time being), the Department is adequately represented.

4. The Departments adjourn for half an hour each day (except Saturday) between One and Two o'clock.



APPENDIX D.

COUNCIL FOR 1881-1882.

* *Representatives of Corporate Bodies.*

† *Members of the Executive Committee.*

President—GEORGE WOODYATT HASTINGS, M.P.

Aberdare, Lord, F.R.S.
Aberdeen, Earl of
Ace, Rev. Daniel, D.D.
Acland, H. W. D., M.D., D.C.L.,
F.R.S.
Agnew, William, M.P.
Aitchison, George, A.R.A.
Amos, Sheldon, M.A.
*Anderson, William C. A.
Angell, Lewis, C.E.
Arthur, Rev. William
Ashley, Hon. Evelyn, M.P.

†Baden-Powell, G., M.A.
Baines, Sir Edward
Baker, T. B. Ll.
Balfour of Burleigh, Lord

Ball, Rt. Hon. J. T., LL.D.,
D.C.L.
Barclay, A. W., M.D.
Barran, John, M.P.
Bass, M. T., M.P.
Bastard, T. H.
Baylis, C. O., M.D.
Beddoe, John, M.D., F.R.S.
Beresford-Hope, the Right Hon.
A. J. B., M.P.
*Bourne, Alfred
†Boyes, H. C.
Brabrook, E. W.
Brassey, Sir Thomas, K.C.B.,
M.P.
Briggs, W. E., M.P.
Brodrick, Hon. George C.

- Brookes, W. Cunliffe, M.P.
 Brooks, Maurice, M.P.
 Brown, A. H., M.P.
 †Brown, Joseph, Q.C.
 Browning, Benjamin, M.D., F.C.S.
 Bruce, Gainsford
 Buxton, Sidney C.
 †Cameron, Charles, M.D., LL.D.,
 M.P.
 Campbell, C. H.
 Campbell, Sir George, K.C.S.I.,
 D.C.L., M.P.
 Campbell, J. A., M.P.
 Carmichael, C. H. E., M.A.
 Carnarvon, Earl of, F.R.S.
 Carpenter, Alfred, M.D.
 Chadwick, David
 Chadwick, Edwin, C.B.
 Champneys, Basil
 Chichester, Earl of
 Child, G. W.
 Clarke, T. Chatfeild
 Clode, William
 Colebrooke, Sir Thomas E., Bart.,
 M.P.
 Collings, Jesse, M.P.
 †Collins, H. H.
 Colman, Jeremiah J., M.P.
 Corbett, John, M.P.
 Corfield, Professor W. H., M.D.,
 F.C.S.
 Cowan, James, M.P.
 *Cox, Alfred
 Crofton, Right Hon. Sir Walter,
 C.B.
 Daniel, W. T. S., Q.C.
 Dawson, Right Hon. Charles,
 M.P., Lord Mayor of Dublin
 Denman, Lord
 Denman, Hon. Justice
 Derby, Earl of
 Dixon, George
 Dodds, Joseph, M.P.
 Draper, E. Herbert
 Droop, H. R., M.A.
 Du Cane, Lieut.-Col. Sir E. F.,
 K.C.B.
 Ducie, Earl of
 Dudley, Earl of
 Duff, Right Hon. M. E. Grant,
 M.P.
 Dufferin, Earl of, K.P., K.C.B.,
 LL.D., G.C.M.G., F.R.S.
 Dunn, Andrew
 Dunn, E. C.
 Dunsany, Lord
 Ebury, Lord
 Edgar, Andrew, LL.D.
 *Edwards, William
 Evans, T. W., M.P.
 Ewing, A. Orr, M.P.
 †Farquharson, Robert, M.D.,
 M.P.
 Farr, William, M.D., D.C.L.,
 F.R.S., C.B.
 Fergus, Andrew, M.D.
 Ferguson, Robert, M.P.
 Fitch, J. G.
 Fooks, W. C.
 Fordham, E. King
 Forster, Right Hon. W. E., M.P.
 Fortescue, Earl
 Fortescue, Hon. Dudley Francis
 Fowler, R. N., M.P.
 Fox, T. B.
 Freeland, H. W.
 Fry, Lewis, M.P.
 †Galton, Capt. Douglas, C.B.,
 D.C.L., F.R.S.

- Gladstone, J. H., Ph.D., F.R.S.
 Godwin, George, F.R.S.
 Gordon, Lord Douglas, M.P.
 Grant, Daniel, M.P.
 Graves, Lord
 Gray, E. D., M.P.
 Grece, C. J., LL.D.
- †Hamilton, Rowland
 Hanbury-Tracy, Hon. F. S. A.,
 M.P.
 Hancock, W. Neilson, Q.C.,
 LL.D.
 Harcourt, Right Hon. Sir W.
 Vernon, M.P.
 Hare, Thomas
 Hart, Ernest
 †*Hastings, George Woodyatt,
 M.P.
 Hawkins, Charles
 Hawksley, Charles
 Hawksley, Thomas, C.E.
 Heller, T. E.
 Herschell, Sir Farrer, Q.C., M.P.
 Heywood, James, F.R.S.
 Hill, Alsager H.
 Hill, Frederic
 Hobbouse, Rt. Hon. Sir Arthur,
 Q.C., K.C.S.I.
 Hollond, J. R., M.P.
 Holms, W., M.P.
 Hopgood, James
 Horsfall, T. C.
 Houghton, Lord, D.C.L., F.R.S.
 Howard, James, M.P.
- Inderwick, F. A., Q.C., M.P.
- Jevons, William Stanley, M.A.,
 LL.D.
- Kay-Shuttleworth, Sir Ughtred J.,
 Bart.
- Keenan, Sir Patrick J., K.C.M.G.,
 C.B.
 Kennaway, Sir John H., Bart.,
 M.P.
 Kimberley, Earl of
 Kinnaird, Lord
 Kirkwood, Anderson, LL.D.
- Lambert, Rev. Brooke, M.A.,
 B.C.L.
 †Latham, Baldwin, C.E.
 Lee, Henry, M.P.
 *Lee, William Henry
 Lefevre, Rt. Hon. G. J. Shaw,
 M.P.
 Leighton, Sir Baldwyn, Bart.,
 M.P.
 Lichfield, Earl of
 Londesborough, Lord
 Longfield, Hon. Montifort, LL.D.
 Lowndes, W. Layton
 Lyveden, Lord
- McArthur, Alexander, M.P.
 McArthur, William, M.P.
 MacIver, David, M.P.
 McKenna, Sir Joseph, D.L., M.P.
 *McLagan, Peter, M.P.
 McLaren, Lord
 Marshall, James
 Mason, C. P.
 *Mason, Hugh, M.P.
 Michael, W. H., Q.C., F.C.S.
 Miller, Commissioner A. E., Q.C.,
 LL.D.
 Minto, Earl of
 Moncreiff, Lord
 *Monk, C. J., M.P.
 Morley, Arnold, M.P.
 Morley, Samuel, M.P.
 Mouat, Frederick J., M.D.

†Mozley, Herbert N., M.A.

*Musgrave, James

Napier and Ettrick, Lord, K.T.

Napier, Rt. Hon. Sir Joseph,
Bart.

Neale, J. A., M.A., B.C.L.

†Neison, Francis G. P.

Newdegate, C. N., M.P.

Noel, Ernest, M.P.

Northcote, Rt. Hon. Sir Stafford,
Bart., G.C.B., F.R.S., M.P.

Norton, Lord, K.C.M.G.

*O'Hagan, Lord, K.P.

Oldfield, Colonel

Overstone, Lord

Pagliardini, Tito

Palmer, George, M.P.

Pankhurst, Richard M., LL.D.

Parker, C. Stuart, M.A., M.P.

Pattison, Rev. Mark, B.D.

Pease, Arthur, M.P.

Peel, Rt. Hon. Sir Lawrence,
D.C.L.

Pender, John, M.P.

Pennington, Frederick, M.P.

Phené, J. S., LL.D., F.S.A.

Playfair, Rt. Hon. Lyon, C.B.,
F.R.S., M.P.

†Powell, F.S., M.A.

Powerscourt, Viscount, K.P.

Price, Professor Bonamy

Pulling, Serjeant

Ramsden, Sir John, Bart., M.P.

†Ratcliff, Colonel Charles

Rathbone, P. H.

Rawlinson, Sir Christopher

Reay, Lord

Richardson, B. W., M.D., F.R.S.

Richmond, Professor W. B., M.A.

Rigg, Rev. J. H., D.D.

Ripon, Marquess of

Roberts, Henry, F.S.A.

Rosebery, Earl of

†Safford, A. Herbert

Scott, Maj.-Gen. H. Y. D., C.B.,
F.R.S.

Shaen, Rev. Richard

Shaen, William

Shaftesbury, Earl of, K.G., D.C.L.

Sheridan, H. B., M.P.

†Smale, Sir John

Smith, Goldwin, M.A., D.C.L.

Sperling, Arthur

Stanhope, Hon. Edward, M.P.

Statham, H. Heathcote

Steinthal, Rev. S. A.

Stern, Viscount Sydney de

Stewart, A. P., M.D.

*Stout, Thomas

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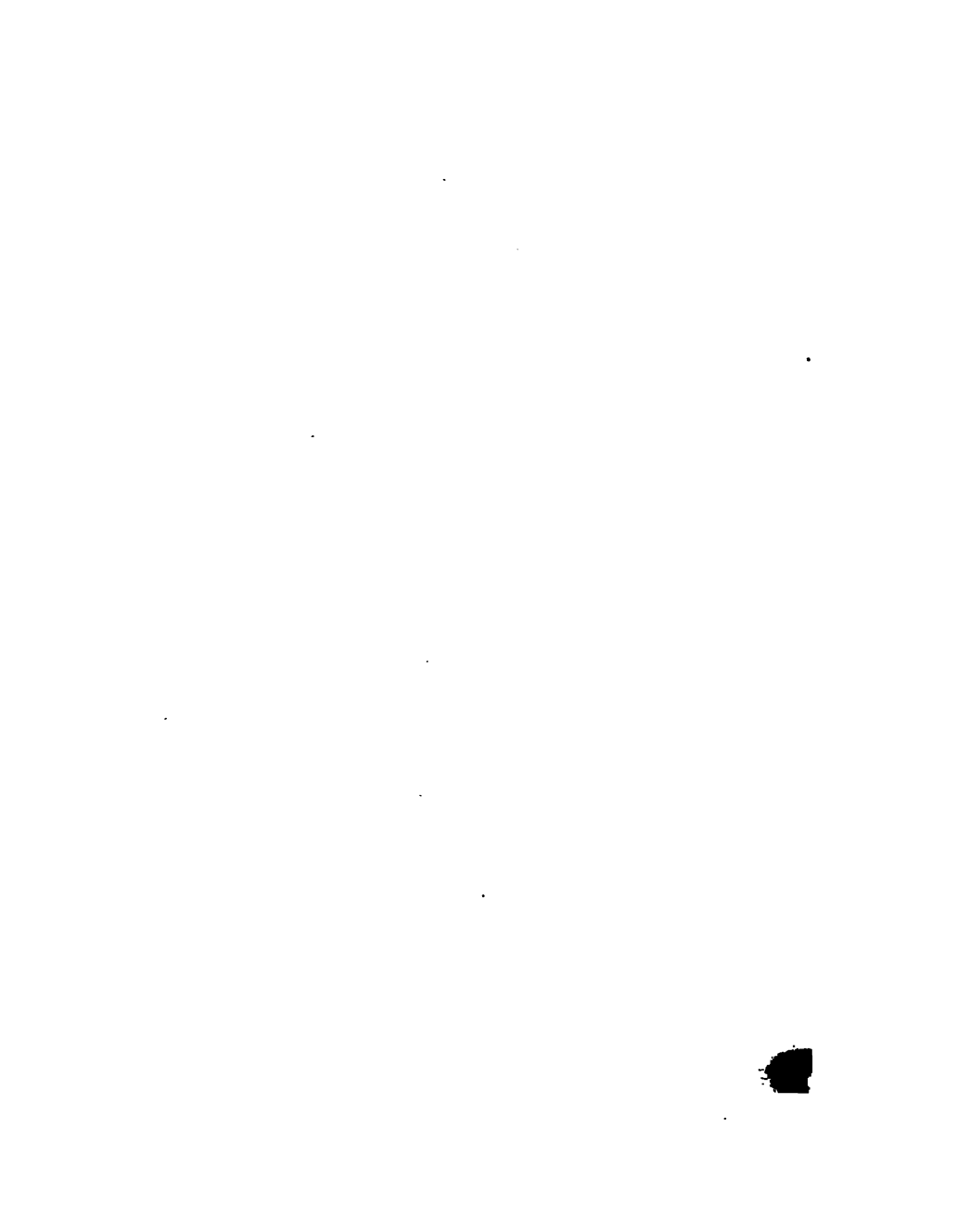
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